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Globalization and interdependence: science and technology for development

Science and technology for development

Report of the Secretary-General

Summary

The present report, submitted in response to General Assembly resolution 64/212, provides information on the work of the Commission on Science and Technology for Development in areas such as agriculture, rural development, information and communications technologies and environmental management. It also provides information on the activities carried out by the United Nations Conference on Trade and Development (UNCTAD) and other relevant organizations to assist developing countries in their efforts to integrate science, technology and innovation policies into their respective national development plans and strategies.

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I. Introduction

1. In resolution 64/212, the General Assembly reaffirmed its commitment to strengthen and enhance existing mechanisms and to support initiatives for research and development, including through voluntary partnerships between the public and private sectors, to address the special needs of developing countries in the areas of health, agriculture, conservation, sustainable use of natural resources and environmental management, energy, forestry and the impact of climate change. In this context, the Assembly also reaffirmed its commitment to support initiatives for a number of science and technology-related issues, including the transfer and diffusion of technologies; the promotion and development of national strategies for human resources and science and technology; the development of renewable sources of energy; the implementation of policies to attract both public and private investment, domestic and foreign, that enhances knowledge, transfers technology on mutually agreed terms and raises productivity; and the harnessing of new agricultural technologies with a view to increasing agricultural productivity through environmentally sustainable means.

2. In the same resolution, the General Assembly requested the Commission on Science and Technology for Development to continue to assist the Economic and Social Council in the system-wide follow-up to the outcomes of the World Summit on the Information Society and to address the special needs of developing countries in areas such as agriculture, rural development, information and communications technologies and environmental management. The Assembly encouraged UNCTAD, in collaboration with relevant partners, to continue to undertake science, technology and innovation policy reviews, with a view to assisting developing countries and countries with economies in transition in identifying the measures needed to integrate science, technology and innovation policies into their national development strategies.

3. The present report has been prepared in response to paragraph 10 of the resolution, in which the Assembly requested the Secretary-General to submit to it at its sixty-sixth session a report on the implementation of the resolution and recommendations for future follow-up, including lessons learned in integrating science, technology and innovation policies into national development strategies.

II. Work of the Commission on Science and Technology for Development in areas such as agriculture, rural development, information and communications technologies and environmental management

4. The Commission on Science and Technology for Development reasserted its unique role as an intergovernmental global forum for the examination of science and technology questions, the improvement of understanding of science and technology policies for development, and the formulation of recommendations and guidelines on science and technology matters within the United Nations system. In addition, the Commission continued to fulfil its mandate of assisting the Economic and Social

Council in the follow-up to the World Summit on the Information Society[1] and the commitment set out in paragraph 60 of the 2005 World Summit Outcome (see General Assembly resolution 60/1).

5. The secretariat of the Commission on Science and Technology for Development has, through the sessions of the Commission and the projects undertaken by UNCTAD, undertaken a number of initiatives which address the special needs of developing countries in areas such as agriculture, rural development, information and communications technologies and environmental management.

A. Thirteenth session of the Commission on Science and Technology for Development

6. At its thirteenth session, held in Geneva from 17 to 21 May 2010, the Commission carried out a five-year review of the progress made in the implementation of and follow-up to the outcomes of the World Summit on the Information Society at the regional and international levels, and considered two priority themes, "Improvements and innovations in existing financial mechanisms" and "New and emerging technologies".

7. Participants noted that while rapid progress had been achieved in improving access to information and communications technologies at the global level, the significant gaps remaining within economies and societies affected the demand for and the ability to use such technologies. Participants identified some of the main impediments faced by developing countries in accessing the new technologies, including insufficient resources, infrastructure, education, capacity, investment and connectivity, as well as technology ownership, standards and flows. They called upon all stakeholders to provide adequate resources and to support efforts aimed at capacity-building and the transfer of technology to developing countries, particularly the least developed countries.

8. Participants expressed their concern at the widening gap in broadband connectivity, which further marginalized the poor, rural communities and other disadvantaged groups, such as women, the disabled and the elderly. They commended initiatives aimed at achieving rapid broadband deployment and underscored the need to prioritize innovative approaches within national and regional development strategies. Also reiterated was the importance of indicators for information and communications technology as a monitoring and evaluation tool for measuring the digital divide among countries and within societies and for informing decision makers in the formulation of policies and strategies for social, cultural and economic development. Participants highlighted the importance of standardization and harmonization of reliable and regularly updated indicators which would capture the performance, efficiency, affordability and quality of goods and services.

9. In addressing the priority theme on new and emerging technologies, the discussion focused on renewable energy technologies. It was recognized that such technologies must be part of the mix if energy security, climate change mitigation and increased energy access were to be achieved. It was also recognized that

[1] See, for example, A/66/64, and *Implementing WSIS Outcomes: Experience to Date and Prospects for the Future* (UNCTAD/DTL/STICT/2011/3), Geneva, May 2011.

technology transfer was an important facet in the deployment of renewable energy technologies in developing countries. The transfer of the hardware must be complemented by the transfer of the skills and expertise to operate it and to adapt and modify it to local conditions. Where possible, technology options that maximize the use of existing local capabilities should be chosen. In addition, efforts to expand existing — and build new — local innovative capabilities by means of training centres and knowledge networks were viewed as important for the effective and sustainable deployment of renewable energy technologies. Participants noted that investors, project developers and consumers were disinclined to support renewable energy technologies because of the costs involved. Government policy could do much to rectify this. In particular, mechanisms such as subsidy schemes, feed-in tariffs and the reduction of import duties could help to bring such technologies to the market. Importantly, the market must be nurtured to ensure its sustainability once financial mechanisms had been phased out. Given that there was no one-policy-fits-all approach, it was considered that a systemic review of a variety of approaches to the transfer of low-carbon technologies and the deployment of renewable energy technologies would be valuable.

10. Participants called upon Governments to provide an enabling environment which would encourage the adoption of private and public sector initiatives in new and emerging technologies and in the generation and dissemination of renewable energy technologies. They recommended for consideration by national governments a number of policy measures to promote local innovative capabilities, namely: provision of support to universities and public research centres dedicated to renewable energy technologies; provision of support to community participation in decision-making; ensuring that communities have the requisite capabilities to manage the low-carbon technologies deployed in their area; provision of incentives for research, development and deployment; and establishment of business parks and innovation clusters. Governments were urged to adopt regulatory and procurement policies to foster competition and private sector development and to attract domestic and foreign direct investment. They were invited to consider the use of appropriate policy instruments, such as subsidy schemes, feed-in tariffs, tax credits, financial guarantees and the reduction of import duties to support technology deployment in niche markets and encourage joint ventures and foreign direct investment in the manufacture and use of renewable energy technologies. Participants also called upon the Commission on Science and Technology for Development to continue to serve as a platform for sharing examples of good practice and promoting North-South and South-South partnerships, especially in regard to new and emerging technologies and the transfer and deployment of renewable energy technologies.

B. Fourteenth session of the Commission on Science and Technology for Development

11. At its fourteenth session, held in Geneva from 23 to 27 May 2011, the Commission considered two priority themes, "Measuring the impact of information and communications technology for development" and "Technologies to address

challenges in areas such as agriculture and water".[2] In addition, two ministerial round tables were held, one to review the progress made in the implementation of the Summit outcomes and another to consider the harnessing of science and technology for development. During the session, a panel meeting was convened to discuss e-science, e-engineering and e-education.

12. Participants highlighted the significant progress achieved in providing access to information and communications technologies, most notably mobile telephony and the Internet. It was, however, noted that the gap between developed and developing countries in regard to broadband access had widened. User-generated content has increased in the past few years but content was not necessarily available in all languages and for all groups in all parts of the world. The digital divide had therefore taken on new dimensions as regards the quality of access, information and skills that users could obtain and the value to be derived. Participants expressed concern that information and communications technologies and their applications were still unaffordable for most people, particularly those living in rural areas.

13. In reviewing the progress made in the implementation of the Summit outcomes since 2005, participants observed that the important role of the private sector in driving the development of information and communications technologies and in building the related infrastructure had been supported by an enabling environment, created by Governments, which encompassed independent regulators; respect for the rule of law; protection and enforcement of intellectual property rights; legal, policy, and regulatory frameworks that encouraged competition; independent courts; and policies that promoted entrepreneurship. Participants highlighted a number of new and emerging areas which deserved policy attention, namely, the potential role of information and communications technologies in combating climate change; social networking; privacy protection; and cyber exploitation and abuse.

14. In addressing the priority theme "Measuring the impact of information and communications technology for development", participants called on the Partnership on Measuring Information and Communication Technologies for Development to further its work on measuring the impact of such technologies, particularly in developing countries, by establishing practical guidelines, methodologies and indicators. Participants encouraged national governments to collect relevant data, share country case studies and cooperate in regard to capacity-building. Participants encouraged the relevant United Nations entities and other agencies to promote assessments of the impact of information and communications technologies on poverty and in key sectors in order to identify the knowledge and skills needed to boost their impact. In addition, participants called upon international development partners to financially support capacity-building efforts.

15. In addressing the priority theme "Technologies to address challenges in areas such as agriculture and water", the discussion focused on the challenges faced by smallholder farmers in developing countries. It was noted that nearly 1 billion people were undernourished and that their number might further increase as a result of the global financial crisis, sustained high levels of unemployment, increased food price volatility and food shortages, and the predicted further widespread droughts and floods. Fortunately, a range of existing science and technology applications and

[2] See E/CN.16/2011/2, E/CN.16/2011/3 and *Water for Food: Innovative Water Management Technologies for Food and Poverty Alleviation*, UNCTAD Current Studies on Science Technology and Innovation, No. 4 (UNCTAD/DTL/STICT/2011/2).

farming practices at all stages of the agricultural process can significantly increase productivity. There was recognition that a shift was needed from conventional mono-crops to sustainable regenerative systems. It was also recognized that smallholders should be at the centre of policy and technology decisions. Smallholder farming was generally labour-intensive, did not rely heavily on external inputs and was more dependent on the local environment; the introduction of modern science and technology to smallholder farming should take these characteristics into account and be based on farmer knowledge networks, better infrastructure, and a system approach which involved crop rotation and integrated crop and feedstock production. Among smallholder farmers, greater emphasis should be placed on women who play a key role in agriculture but often face challenges in moving beyond subsistence farming as they lack access to key resources. Participants called upon the Commission to facilitate the exchange, dissemination and diffusion of examples of best practice in the area of agricultural science, technology and innovation and in regard to cooperation between countries.

16. At the same session, the Commission took note of the outcome of the Fourth United Nations Conference on the Least Developed Countries, held in Istanbul from 9 to 13 May 2011, and extended its appreciation to the Turkish Government for its initiative in setting up an international science, technology and innovation centre dedicated to the least developed countries, which would serve also as a technology bank that would help them to utilize critical technologies. The Commission, UNCTAD and the Scientific and Technological Research Council of Turkey have since engaged in consultations on ways and means to implement the outcome of the Conference.

C. Five-year review of the implementation of the outcomes of the World Summit on the Information Society

17. In November 2010, the Chair of the Commission on Science and Technology for Development launched an open, multi-stakeholder consultation on the progress made in the implementation of the outcomes of the World Summit on the Information Society. A questionnaire was sent to all Member States, regional and international entities of the United Nations system, associations and agencies in the information and communications technology sector, and private sector and civil society actors. The purpose of the review was to identify the areas which had registered the most progress, and those in which obstacles and constraints had been encountered and innovative measures to overcome them. In line with Economic and Social Council resolution 2006/46, the review also considered how changes in the information and communications technology landscape might call for increased or reduced attention to certain areas.

18. The outcome of the consultation formed the basis of the report entitled *Implementing WSIS Outcomes: Experience to Date and Prospects for the Future*,[3] which was released during the fourteenth session of the Commission. The report observes that substantial progress has been made towards achieving the universal availability and use of basic telecommunications since 2005, and that the expansion of mobile telephony was particularly noteworthy. It notes that most of the progress achieved towards the 10 targets of the Summit was in ensuring that everyone has

[3] UNCTAD/DTL/STICT/2011/3; available from www.unctad.org/en/docs/dtlstict2011d3_en.pdf.

access to the information and communications technologies within their reach, and enabling access to such technologies in rural areas. Progress was also made in each of the action line thematic areas. However, while the digital divide in both voice telephony and basic Internet access had narrowed, there was increasing concern about the continuing, and perhaps even growing, divergence in the quality of access to communications, including the Internet, and the value derived from such access. A number of constraints had inhibited the achievement of the Summit outcomes, including the lack of affordable infrastructure and continuing weaknesses in investment and communications regulation. Users must be able to make use of communications services and to access relevant content in order to take full advantage of the potential of information and communications technologies. Policy approaches need to be rooted in a more holistic understanding of the changes taking place in society, the economy and the culture at the local, national and international levels. The Partnership on Measuring Information and Communications Technologies for Development has identified indicators which should improve our ability to measure progress prior to the comprehensive review to be undertaken in 2015. The report proposed undertaking potentially valuable inputs to the 2015 review, such as a comprehensive survey of the work of private sector and civil society organizations in the implementation of the World Summit outcomes, as well as a thorough analysis of wider social and economic developments in world society and the relationship between those developments and information and communications technologies.

III. Work of the United Nations Conference on Trade and Development in the area of science, technology and innovation

A. Research and capacity-building in science, technology and innovation for sustainable development

19. *The Technology and Innovation Report* is a new flagship series of studies issued by UNCTAD, drawing attention to the importance of technology and innovation for the economic development of countries. The series seeks to address in a comprehensive way issues in science, technology and innovation that are both topical and important for developing countries, with an emphasis on policy-relevant analysis and conclusions.

20. The first report in the series[4] looked at how the current trend towards declining agricultural productivity in African countries can be reversed by what are known as agricultural innovation systems. The report identified risks to smallholder farms in African agriculture as both a result of external influences (e.g., World Trade Organization discussions, international seed companies and the growing privatization of agricultural knowledge) and internal pressures, such as malnutrition, hunger and poverty. Arguing that stagnant agricultural productivity in Africa has become a major development challenge for Africa, the report called for the building of agricultural innovation systems that would reverse declining agricultural

[4] *Technology and Innovation Report 2010: Enhancing Food Security in Africa through Science, Technology and Innovation*, United Nations publication, Sales No. E.09.II.D.22 (UNCTAD/TIR/2009).

productivity through an enabling framework not only for the adoption of existing technologies but the development of new ones suited for Africa's needs. In this process, attention would be focused on the smallholders who represent the bulk of the continent's farmers.

21. The forthcoming second report in the series focuses on the greater use of renewable energies in developing countries, and seeks to join the ongoing international discourse on the need to promote the use of low-carbon technologies globally. The report analyses the important role of science, technology and innovation in the expanded application and wider acceptance of renewable energies, particularly in the context of developing countries.

22. The report argues that sustained economic growth of the kind that leads to a continued improvement in the living standards of all people through poverty reduction rests on energy access for all. Such a global agenda requires a focus on energy efficiency that would also promote energy flexibility for all countries through the provision of newer or more cost-effective energy solutions. It also requires that more serious consideration be given to newer energy sources which could complement conventional sources in the quest to promote energy access for all. At the same time, such solutions need to take on board the overwhelming environmental challenge that mankind faces today, which is to limit the damage that economic activity inflicts on the planet's environment. Joining with other United Nations agencies working in this area, the report submits that a mutually compatible response to the dual challenge of reducing energy poverty and promoting climate change-friendly solutions calls for a new energy paradigm. The new energy paradigm will have renewable energy technologies play a complementary role along with conventional energy sources with a view towards the eradication of energy poverty.

23. In 2010, UNCTAD launched a new series, Current Studies on Science, Technology and Innovation,[5] which seeks to examine salient topics related to science, technology and innovation for development. The first in the series[6] provides an overview of some of the issues surrounding the use of renewable energy technologies to increase access to modern energy services in rural areas. Drawing on examples from Argentina, China, Eritrea, Guatemala, the Lao People's Democratic Republic, Namibia and Nepal, the study concludes that the design and affordability of these technologies, the installation cost, lack of awareness, and lack of appropriate policy support from government represent some of the main barriers to their effective deployment. The challenge for Governments is to ensure that the deployment of renewable energy technologies is integrated into wider rural development strategies in order to meet local needs and priorities. National policies, for example, can support the provision of subsidies and the development and implementation of research projects, public awareness campaigns, programmes and regulations. The study underscores the need for technology transfer on the one hand, and the building of local capabilities on the other.

[5] Available from www.unctad.org/Templates/Page.asp?intItemID=5492&lang=1.

[6] *Renewable Energy Technologies for Rural Development*, UNCTAD Current Studies on Science, Technology and Innovation, No. 1 (UNCTAD/DTL/STICT/2009/4).

24. The fourth study in the series,[7] examines the challenges related to agricultural water management in the context of climate change, increased demand for food production and environmental sustainability, and reviews the potential role of technologies in regard to water productivity, resilience in agricultural water management and sustainable livelihoods. It reviews a host of appropriate technologies and associated management practices, including traditional practices (such as water harvesting and storage) and new and emerging ones (such as geographical information systems), and discusses key areas for future action to accelerate the diffusion and adoption of those technologies and practices.

25. In the latter part of 2011, UNCTAD will release a study on applying a gender lens to science, technology and innovation. The study notes that, although there is growing recognition that science, technology and innovation can have a significant impact on promoting development, the associated policies generally lack a gender perspective and therefore do not adequately address all development concerns. It argues that, given the role of women in the economy and society, taking into account the situations, needs and concerns of women as well as of men will enhance the efficiency of science, technology and innovation policies for development. The study highlights the need to integrate a gender perspective throughout the policymaking process, from diagnosis through policy design to implementation, monitoring and follow-up. It recommends that science, technology and innovation policies and programmes undergo a gender impact assessment to ensure that they deliver equality of opportunities to men and women. Prepared in collaboration with the Gender Advisory Board of the Commission on Science and Technology for Development, the study identifies three entry points for applying a gender lens in science, technology and innovation policy, namely:

(a) Science for women: developing science and technology which support women's development and livelihood activities;

(b) Women in science: promoting gender equality in science and technology education, careers and leadership;

(c) Encouraging and supporting the role of women in innovation systems at the national and grass-roots levels.

B. Expert meetings on enterprise development policies and capacity-building in science, technology and innovation

26. The second expert meeting on enterprise development policies and capacity-building in science, technology and innovation was convened by UNCTAD in Geneva, from 20 to 22 January 2010. The meeting focused on the design, monitoring, and assessment of entrepreneurship and science, technology and innovation policies that could support and drive economic development strategies. Participants stressed that science, technology and innovation was a major driver of knowledge-based economies and sustainable economic development and noted the value of developing coherent science, technology and innovation policies that are adapted to the realities and opportunities of developing countries. They encouraged

[7] *Water for Food: Innovative Water Management Technologies for Food and Poverty Alleviation*, UNCTAD Current Studies on Science Technology and Innovation, No. 4 (UNCTAD/DTL/STICT/2011/2).

UNCTAD to further develop its research and policy analysis on science, technology and innovation issues, to continue to serve as a forum for science, technology and innovation policy dialogue, and to continue to implement science, technology and innovation policy reviews in developing countries. Some of the key issues noted by experts regarding the use of science, technology and innovation indicators in the design and evaluation of evidence-based policies include:

(a) Science, technology and innovation indicators need to be relevant and be adapted to the specific context of developing countries which cannot rely on indicators directly taken from the experience of developed countries;

(b) The limited availability of internationally comparable science, technology and innovation indicators represents a problem for policymaking;

(c) Developing countries have limited capacities to analyse science, technology and innovation data and to formulate evidence-based policies;

(d) There is a need to promote the development of relevant science, technology and innovation for the purposes of policy design, implementation and evaluation. In that regard, the possibility of identifying a common list of science, technology and innovation indicators adapted to the realities of developing countries was discussed.

27. The third expert meeting on enterprise development policies and capacity-building in science, technology and innovation was convened by UNCTAD in Geneva, from 19 to 21 January 2011. Participants noted several common constraints related to educational and research institutions that affected the ability of developing countries to harness science, technology and innovation. One was the lack of national strategies on capacity-building, which led to weak educational infrastructure, a poor performance by educational systems in building science, technology and innovation capacity, and weak linkages among academia, research institutes and the private sector. Other constraints identified included: inadequate intellectual property policies and the absence of offices dedicated to technology transfer and of staff with the relevant skills and experience; a lack of entrepreneurial culture among researchers; a lack of understanding of the importance of science, technology and innovation for development and marginalization of the issue in national development agendas; and weaknesses in the technological capabilities of firms and in the infrastructure related to science, technology and innovation.

28. Participants underlined the need to develop strong innovative capabilities, in combination with strong scientific and technological absorptive capabilities. Science, technology and innovation policy should provide the incentives for educational and research institutions to develop agendas that match more closely the requirements of domestic enterprises and local communities. In that regard, there was a need to ensure that science, technology and innovation policy considered educational and research institutions as central elements of national innovation systems, within which strong collaborative linkages should be established between academia and enterprises.

29. Training scientists and engineers in key areas of interest with a view to the technological upgrading of developing countries should be a major focus of such collaboration. It was considered that the establishment and reinforcement of networks of centres of scientific and technological excellence willing to engage in such efforts could greatly contribute to increasing the outreach and effectiveness of

capacity-building in science, technology and innovation. UNCTAD was encouraged to continue its work in this field.

C. Expert meeting on green and renewable technologies as energy solutions for rural development

30. An expert meeting on green and renewable technologies as energy solutions for rural development was convened by UNCTAD in Geneva, from 9 to 11 February 2010. The aim of the meeting was on strategies to overcome challenges in using renewable energy technologies to catalyse rural development. Some 130 persons attended the meeting, representing over 53 countries and 31 intergovernmental and non-governmental organizations.

31. The meeting concluded that renewable energy technologies could play a significant role in national poverty reduction strategies, enhanced energy security and access to affordable energy, as well as climate change mitigation. It was considered that scaled-up deployment of renewable energy technologies in rural areas could, notably, enhance agricultural supply capacity (both in quantitative and qualitative terms), support the development of artisanal business, strengthen export competitiveness, and open new opportunities for South-South cooperation and increased trade and investment. Participants emphasized the need to integrate deployment of renewable energy technologies into strategies for rural development and poverty reduction. They highlighted the importance of technology transfer and building local capabilities. Participants called upon UNCTAD to, inter alia, carry out research on integrated approaches to renewable energy technologies as a tool for pro-poor development, facilitate the exchange between countries and communities of experiences and best practices, and promote South-South cooperation in the area of renewable energy technologies for rural development, including trade and technology transfer aspects.

D. Network of Centres of Excellence

32. The Commission on Science and Technology for Development continued to collaborate with UNCTAD on the Network of Centres of Excellence project.[8] The project is executed through a group of scientific and technological institutions in developing countries, which are selected for their competence, state-of-the-art facilities' and commitment to strengthen links and increase mobility within the scientific communities of developing countries.

33. The Network organizes training courses and workshops on science and technology applications for scientists and engineers from developing countries, in particular African countries. The courses enable the scientists and engineers to update their professional expertise in a modern scientific environment. They also strengthen professional linkages within the scientific community and facilitate the mobility of science and technology professionals.

34. The Network was launched in 2005, under a project funded by the Government of Italy. Since then, more than 120 scientists, engineers and academics from

[8] See www.unctad.org/noce.

25 African countries have benefited from the 11 training courses organized in China, Egypt, India, South Africa, Tunisia and the United Republic of Tanzania. Topics covered in the training activities are: biosafety and the detection of genetically modified organisms; molecular marker techniques and fingerprinting; advanced molecular biology; information technology in agriculture for Africa; bioinformatics; malaria-related research and training; animal biotechnology; advanced laboratory training in regard to infectious disease; molecular medicine; and cybersecurity.

35. In November 2010, within the framework of the Network and in collaboration with the National Agency for Computer Security of Tunisia, UNCTAD organized a training session on cybersecurity in Hammamet, Tunisia. Several of the participants are members of the new national computer emergency teams currently being established in several African countries. Twelve participants from 11 African countries, including 8 least developed countries, benefited from the course.

E. Science, technology and innovation policy reviews

36. In its resolution 2009/8, the Economic and Social Council, in extending its appreciation to UNCTAD for undertaking science, technology and innovation policy reviews, encouraged it to continue to provide its expertise and analytical skills in that regard. In its resolution 2010/3, the Council encouraged UNCTAD to increase significantly its efforts to conduct such reviews in response to a high demand from member countries, in close collaboration with other relevant international organizations, particularly the United Nations Educational, Scientific and Cultural Organization (UNESCO), and with the Commission on Science and Technology for Development, the regional commissions and other appropriate stakeholders, including the World Bank and other international and regional development banks, with a view to assisting developing countries in strengthening their science, technology and innovation systems.

37. The main focus of UNCTAD in its technical cooperation work in this area has been the implementation of science, technology and innovation policy reviews at the request of developing countries. The main objective of such reviews is to help Governments to ensure that their science, technology and innovation policies and programmes support national development agendas by enabling the emergence and development of national innovation systems. Such systems help national productive sectors become more competitive in a knowledge-based, global economy and therefore stimulate economic growth and help meet major development challenges. Policy reviews have been completed for Angola, Colombia, Ethiopia, Ghana, the Islamic Republic of Iran, Jamaica, Lesotho, Mauritania and Peru. UNCTAD undertook the policy review of Angola in collaboration with the United Nations Development Programme (UNDP); of Ghana with the World Bank; of Lesotho with UNDP and UNESCO; of Mauritania with UNESCO; and of Peru with the Economic Commission for Latin America and the Caribbean (ECLAC). The policy reviews of El Salvador and the Dominican Republic, which will be finalized in 2011, have also been undertaken in collaboration with ECLAC.

38. Lessons drawn from the African series of science, technology and innovation policy reviews have been applied to the more recent Latin American and the Caribbean series. Among these lessons are the critical role of the national counterpart and the importance of involving stakeholders in the process. The impact

on policy is maximized when the review can be timed and orchestrated in such a way that it feeds into locally driven processes. Finally, political will and leadership at the highest levels are crucial for success, especially where cohesive inter-ministerial cooperation is difficult to achieve.

39. With a view to consolidating academic thinking and other viewpoints into the science, technology and innovation policy review programme, UNCTAD organized two expert meetings in 2010. The discussions at those meetings concerned conceptual and methodological issues relevant to the assessment of science, technology and innovation policies in developing countries. The outcome of the two meetings will be reflected in a set of guidelines for the implementation of the policy reviews, which will be released in 2011. Such guidelines are intended to enhance the effectiveness and consistency of the outcome of the policy reviews and should therefore facilitate the development of a repository of best practice in regard to science, technology and innovation policy in developing countries. The guidelines should give interested developing countries more precise information about the purposes of the process and the modalities for its implementation; this is expected to improve national ownership of the science, technology and innovation policy review and assist in the implementation of the recommendations arising from such reviews. The guidelines will also facilitate discussions with interested donor countries and cooperation with other international agencies active in the field of science, technology and innovation.

40. The first expert meeting addressed the issue of science, technology and innovation indicators and the lack of up-to-date and relevant data in many client countries. Other related problems examined at the meeting included the issue of availability versus relevance, international comparability, and the importance of indicators in policy formulation. The challenge has been to design science, technology and innovation surveys that will lead to policies and measures that would in turn underpin innovation, particularly in countries for which science, technology and innovation is a relatively new concept. Indicators could, for example, be broadened to take impact into account and to capture innovation in the informal sector as well as in non-technology sectors. More specifically, human resource indicators could be given more emphasis. Another issue discussed was how to assess linkages among actors in national systems of innovation, particularly those between the private sector and government in the area of research and development.

41. The second expert meeting focused on the conceptual framework, the thematic scope and content of and the production process for the policy reviews. It was generally agreed that national systems of innovation, including sectoral innovation systems analysis, provided a useful framework for the reviews. The UNCTAD reviews generally included an analysis of sectors critical in national development objectives and priorities. Given the varying degrees of development and the wide variance in national priorities and conditions, it was considered that there could be no one-size-fits-all template for the policy reviews. However, a number of issues that needed to be covered were identified, including education, linkages between knowledge producers and users, intellectual property regimes, industrial policies and practices in relation to the transfer of technology.

42. The approach of the science, technology and innovation policy review programme is based on recognition of the central role of innovation in the process of economic development and of its essentially systemic nature. In this context,

technological innovation is understood as a broad notion which includes not only the introduction by firms of products, marketing methods or productive processes that are not only new to the world, but new also to the market or the firm. Innovation can thus take place not only by pushing back the frontiers of knowledge, but also (and this is most frequently the case in developing countries) when firms learn to implement and use technologies that are already available elsewhere. For developing countries, technology acquisition, imitation and adaptation are key innovative processes which can be as important as research and development.

43. The systems approach to innovation provides the basic conceptual framework for the production of science, technology and innovation policy reviews. The concept of the national system of innovation cuts across many institutional boundaries and involves a variety of links within and among many actors. The system is therefore necessarily complex and difficult to characterize by assessing its conformity with any particular model. This is all the more so in the case of developing countries in which the elements that integrate the ideal description of a national system of innovation and are found in the literature based on the experience of more advanced countries are either immature or non-existent. Therefore some adaptation to the standard national system of innovation framework is needed when it is applied in the context of a science, technology and innovation policy review.

44. For countries at an early stage of development, generating the ability to access, use and diffuse foreign technologies is more important than putting in place a fully fledged national system of innovation. The needs of emerging innovation systems for absorption and adaptation are not the same as those needed at the frontier of innovation. Accordingly, the emphasis in the analysis of the policy review report is placed on the development of innovation, as opposed to merely strengthening research and development or particular technical capabilities. The discussion in the report also needs to avoid unnecessary technical or academic analysis or abstract language and instead concentrate on identifying the key policy issues and generating practical policy recommendations.

45. A central concern in the context of most developing countries is how national systems of innovation enable the adoption, adaptation and diffusion of existing technologies, in particular through the transfer of technology at the international level, and the development of new technologies and their application. The national system of innovation framework should help policymakers to understand how policy that addresses systemic failures (coordination and networking problems, infrastructural deficiencies, rules and regulations, incentives and disincentives) and the capabilities of the various players can enhance technology absorption. The creation of absorptive capacity at the level of the firms, but also that of the national innovation system as a whole, is critical if the economy is to benefit from any increased exposure to the international knowledge and technology flows that may be gained through trade, investment or other mechanisms. Such absorptive capacity is defined by the availability of a wide range of skills and expertise and of material and non-material infrastructure. The aim is to develop capabilities to not only use and maintain more advanced equipment and techniques but also to dynamically adapt them to new processes or specific needs.

46. Many other aspects of science, technology and innovation policymaking take on a different importance in a development context and are accordingly reflected in the approach adopted for the policy reviews. These include, for example, the

optimization of trade and investment links with foreign sources of technology and the relationship between these links and the generation of endogenous technological capacities; the much greater importance of accelerating innovation in agriculture; a different balance with regard to the incentives and disincentives to innovation provided by the intellectual property regime; the importance of understanding and addressing innovation processes in the informal sector; and the need to consider the social consequences of rapid structural change induced by technological catch-up and innovation.

47. A key conclusion is that the success of a science, technology and innovation policy review depends critically on the availability and involvement of a strong, credible, high-level counterpart in the process. The involvement of national academic centres in carrying out the review should be solicited. Members of legislative bodies could also be invited to take part in national workshops at the beginning and/or at the end of the review.

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Report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Security Council
Sixty-sixth year

Report of the International Criminal Tribunal for Rwanda

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and to the members of the Security Council the sixteenth annual report of the International Criminal Tribunal for Rwanda, submitted by the President of the International Criminal Tribunal for Rwanda in accordance with article 32 of its statute (see Security Council resolution 955 (1994), annex), which states:

> The President of the International Criminal Tribunal for Rwanda shall submit an annual report of the International Criminal Tribunal for Rwanda to the Security Council and to the General Assembly.

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Letter of transmittal

28 July 2011

Excellencies,

I have the honour to submit the sixteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994, dated 28 July 2011, to the General Assembly and the Security Council, pursuant to article 32 of the statute of the International Tribunal.

Please accept, Excellencies, the assurances of my highest consideration.

(*Signed*) Khalida Rachid **Khan**
President

President of the General Assembly
United Nations
New York

President of the Security Council
United Nations
New York

Sixteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January and 31 December 1994

Summary

The present annual report outlines the activities of the International Criminal Tribunal for Rwanda for the period from 1 July 2010 to 30 June 2011.

During the past year, the Tribunal continued its efforts to complete its remaining workload at the trial and appeals levels expeditiously. Despite major difficulties, in particular regarding staff retention and recruitment, the Tribunal made significant progress, delivering six trial judgements during the reporting period. Six trial judgements involving 10 accused remain to be delivered. Completion of the first instance work is expected by the first quarter of 2012.

The Appeals Chamber rendered four judgements in single-accused cases, bringing the total number of persons whose judgements have been completed at the appellate level to 35. Completion of the appeals work is expected by the first quarter of 2014.

The Office of the Prosecutor succeeded in arresting one fugitive during the reporting period through close cooperation with Member States in the region, bringing the number of fugitives down to nine. The Prosecutor also focused on providing support to national authorities in the prosecution of crimes relating to the 1994 Rwandan genocide. Continuous support was also extended to the Rwandan authorities to assist them in meeting the conditions for the transfer of cases from the Tribunal.

The Registry maintained a high level of administrative and judicial support to the Tribunal. It ensured the cooperation and assistance of Member States with the Tribunal and further strengthened its outreach and capacity-building activities in Rwanda. Trial proceedings continued to receive support from the various units and sections of the Judicial and Legal Services Division. The Division of Administrative Support Services continued its work to ensure the efficient management of the Tribunal's downsizing process.

All organs of the Tribunal are undertaking their best efforts to complete the work of the Tribunal expeditiously and to prepare for a smooth transition to the Residual Mechanism. Those efforts require essential cooperation and support from Member States: nine fugitives remain to be arrested, the three acquitted persons need countries for relocation and the Tribunal needs to be provided with sufficient resources to be in a position to complete its tasks in the expected time frame. The Tribunal relies on the ongoing support of Member States to achieve its goals.

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I. Introduction

1. The sixteenth annual report of the International Criminal Tribunal for the Prosecution of Persons Responsible for Genocide and Other Serious Violations of International Humanitarian Law Committed in the Territory of Rwanda and Rwandan Citizens Responsible for Genocide and Other Such Violations Committed in the Territory of Neighbouring States between 1 January 1994 and 31 December 1994 ("the Tribunal") outlines the activities of the Tribunal for the period from 1 July 2010 to 30 June 2011.

2. The Tribunal, through the Office of the President, the Chambers, the Office of the Prosecutor and the Office of the Registrar, has continued its efforts to meet the goals of its Completion Strategy, as endorsed by the Security Council in resolution 1503 (2003), with intense trial and appeals activity and judgement drafting.

II. Activities of the Tribunal

3. The Tribunal consists of two Trial Chambers, one Appeals Chamber, the Office of the Prosecutor and a Registry. On 27 May 2011, Judge Khalida Rachid Khan (Pakistan) was elected President, and Judge Dennis Byron (Saint Kitts and Nevis) was elected Vice-President.

A. Activities of the President

1. Judicial activity

4. During the reporting period, the President made decisions on the transfer of five convicted persons to Member States for the enforcement of their sentences. It is expected that those transfers will be completed shortly. The President also issued orders on a variety of other matters, including State cooperation and conditions of detention.

2. Completion Strategy

5. In close cooperation with the Prosecutor and the Registrar, the President has continued to implement the Tribunal's Completion Strategy. On 6 December 2010 and 6 June 2011, the President presented the six-monthly Completion Strategy reports to the Security Council. In the course of the reporting period, the Tribunal issued six judgements at the trial level and four judgements at the appeals level, representing a total of 18 accused. Judgement remains to be delivered in six cases at the trial level. The evidence phase has been completed in all but two trials and judgements are expected this year in all but two cases. In those two cases, judgement is expected by the first quarter of 2012.

6. Staff attrition remains one of the major impediments to the timely achievement of Completion Strategy goals. Between 1 July 2010 and 30 June 2011, a total of 152 staff members left the Tribunal for more stable jobs within the United Nations or other organizations: 18 staff members left the Chambers, 14 from the Office of the Prosecutor, and the remainder from the Administration and other sections of the Registry. The replacement of departing staff members is a lengthy process, which even in a best-case scenario would result in delays and cannot compensate for the

continuous loss of institutional memory. Moreover, many staff are on temporary contracts that will need to be exceptionally extended beyond the 729-day limit. The Security Council, in resolution 1955 (2010), reiterated its call upon the Secretariat and other relevant United Nations bodies to continue to work with the Registrar of the Tribunal in order to find practicable solutions to address the staffing situation.

7. The Security Council, in resolution 1966 (2010) establishing the International Residual Mechanism for Criminal Tribunals ("the Mechanism"), requested the Secretary-General to make the practical arrangements necessary for the commencement of the Mechanism's operations. Under the direction of the Office of Legal Affairs, the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda have been working jointly since February 2011 to implement that mandate. The initial priority was to develop a budget proposal for the biennium 2012-2013 and a draft Rules of Procedure and Evidence. Both were successfully submitted to the Office of Legal Affairs by July 2011. The next steps will focus on harmonizing the policies, procedures and operations of the two Tribunals in order to ensure that the Mechanism is able to commence its work from 1 July 2012.

3. Diplomatic relations and other representation

8. The President maintained regular contact with United Nations Headquarters and the diplomatic community in the host country, at the seat of the United Nations and in other countries. The United Nations Secretariat, and in particular the Office of Legal Affairs, provided important legal advice and diplomatic support to ensure smooth cooperation between the Tribunal, the Security Council and the General Assembly.

9. On the occasion of their briefings of the Security Council, both the President and the Prosecutor of the Tribunal participated in meetings of the Informal Working Group on International Tribunals of the Security Council. That allowed for comprehensive and open discussions with the legal advisers of the members of the Security Council.

B. Activities of coordination mechanisms

1. Coordination Council

10. The Coordination Council, consisting of the President, the Prosecutor and the Registrar, met regularly to discuss issues affecting the entire Tribunal, such as the Completion Strategy, the Residual Mechanism, staffing and budgetary matters.

2. Bureau

11. The Bureau, composed of the President, the Vice-President and the Presiding Judges of the two Trial Chambers, was consulted by the President in regular meetings and through written exchanges on issues relating to the functioning of the Tribunal.

3. Plenary sessions

12. During the reporting period, the Tribunal's Judges met in a plenary session on 1 April 2011 to discuss a variety of issues. The plenary adopted an amendment to rule 11 bis of the Rules of Procedure and Evidence, allowing for a Chamber to *proprio motu* monitor and revoke a case referred to a national jurisdiction.

4. Rules Committee

13. The Rules Committee submits or discusses proposals for amendments to the Rules of Procedure and Evidence. It is composed of Judges Joensen (Chair), Tuzmukhamedov and Park, and assisted by Legal Officers from the Chambers. For matters relevant to the general conduct of trials, the Committee sits in an extended format, supported by representatives of the Office of the Prosecutor and Defence Counsel. The Committee met regularly to discuss the amendment to rule 11 bis and worked, in close cooperation with the International Tribunal for the Former Yugoslavia, on providing comments to the draft Rules of Procedure and Evidence of the Residual Mechanism to the Office of Legal Affairs.

C. Activities of the Chambers

1. Composition of the Chambers

14. The Chambers comprise two Trial Chambers and one Appeals Chamber and are currently composed of 12 permanent judges and 10 ad litem judges.

15. Five of the permanent judges and all the ad litem judges sit in the two Trial Chambers. One permanent judge, Judge Asoka de Silva (Sri Lanka), and two ad litem judges, Judges Joseph Masanche (United Republic of Tanzania) and Taghrid Hikmet (Jordan), left the Tribunal after the completion of their final cases. Judge Robert Fremr (Czech Republic), an ad litem judge, returned to the Tribunal in September 2010.

16. Seven permanent judges sit on the Appeals Chamber. Two of them, Judges Mehmet Güney (Turkey) and Andrésia Vaz (Senegal), are from the International Criminal Tribunal for Rwanda, and the five other judges are from the International Criminal Tribunal for the Former Yugoslavia.

17. The Trial Chambers are currently composed of Judges Khalida Rachid Khan (Pakistan), Dennis Byron (Saint Kitts and Nevis), William H. Sekule (United Republic of Tanzania), Arlette Ramaroson (Madagascar) and Bakhtiyar Tuzmukhamedov (Russian Federation) as permanent judges, and Solomy Balungi Bossa (Uganda), Lee Gacuiga Muthoga (Kenya), Florence Rita Arrey (Cameroon), Emile Francis Short (Ghana), Seon Ki Park (Republic of Korea), Gberdao Gustave Kam (Burkina Faso), Vagn Joensen (Denmark), Mparany Rajohnson (Madagascar), Aydin Sefa Akay (Turkey) and Robert Fremr (Czech Republic) as ad litem judges.

18. The Appeals Chamber is composed of Judges Patrick Robinson (Jamaica) as Presiding Judge, Mehmet Güney (Turkey), Fausto Pocar (Italy), Liu Daqun (China), Andrésia Vaz (Senegal), Theodor Meron (United States of America) and Carmel Agius (Malta).

19. The Tribunal takes note of General Assembly resolution 65/258 (2011) reviewing the conditions of service and compensation for the ad litem judges serving at the ad hoc Tribunals and granting a one-time ex gratia payment to those who have been in full-time uninterrupted service for longer than three years, and thanks the General Assembly for its efforts in this endeavour.

2. Principal activities of the Trial Chambers and the Appeals Chamber

(a) Trial Chamber I

20. The work before this Trial Chamber is complete.

(b) Trial Chamber II

21. During the reporting period, Trial Chamber II delivered judgement in four cases, and continued judgement drafting in two cases involving five accused. One single-accused trial is ongoing.

Judgement in *Nyiramasuhuko et al.* ("Butare")

22. On 24 June 2011, the Chamber, composed of Judges Sekule, presiding, Ramaroson and Bossa, delivered judgement in the *Butare* case. The trial involved six accused: Pauline Nyiramasuhuko (former Minister of Family and Women's Development); Arsène Shalom Ntahobali (alleged leader of an Interahamwe group in Butare in April 1994); Sylvain Nsabimana (*préfet* of Butare from 19 April to 17 June 1994); Alphonse Nteziryayo (*préfet* of Butare from 17 June to July 1994); Joseph Kanyabashi (former *bourgmestre* of Ngoma *commune* in Butare *préfecture*); and Elie Ndayambaje (former *bourgmestre* of Muganza *commune* in Butare *préfecture*). The Chamber convicted the six accused of various crimes including genocide and crimes against humanity, sentencing Nyiramasuhuko, Ntahobali and Ndayambaje to life imprisonment, Nsabimana to 25 years' imprisonment, Kanyabashi to 35 years' imprisonment, and Nteziryayo to 30 years' imprisonment. During the trial, the Chamber heard 189 witnesses over the course of 714 trial days.

Judgement in *Ndindiliyimana et al.* ("Military II")

23. On 17 May 2011, a Chamber, composed of Judges de Silva, presiding, Hikmet and Park, delivered Judgement in the Military II trial. The case involved four accused, François-Xavier Nzuwonemeye (former Commander of the Reconnaissance Battalion of the Rwandan Army); Augustin Bizimungu (former Chief of Staff of the Rwandan Army); Augustin Ndindiliyimana (former Chief of Staff of the *Gendarmerie nationale*); and Innocent Sagahutu (former Commander of Squadron A, Reconnaissance Battalion of the Rwandan Army). Ndindiliyimana was sentenced to time already served and was ordered to be released immediately. Bizimungu was sentenced to 30 years' imprisonment, while Nzuwonemeye and Sagahutu were each sentenced to 20 years' imprisonment. The Chamber heard 217 witnesses over the course of 393 trial days. The Chamber heard the parties' closing arguments on 24, 25 and 26 June 2009.

Judgement in *Hategekimana*

24. On 6 December 2010, a Chamber, composed of Judges Ramaroson, presiding, Hikmet and Masanche, delivered Judgement in the case of *The Prosecutor v. Ildephonse Hategekimana*, former commander of Ngoma Military Camp. Hategekimana was convicted of genocide as well as murder and rape as crimes against humanity and was sentenced to life imprisonment. The accused was found not guilty of complicity in genocide. Over the course of 43 trial days, the Chamber heard 40 witnesses. Closing arguments were heard on 26 April 2010.

Judgement in *Kanyarukiga*

25. On 1 November 2010, a Chamber, composed of Judges Hikmet, presiding, Park and Masanche, delivered Judgement in the case of *The Prosecutor v. Gaspard Kanyarukiga*, a businessman. Kanyarukiga was convicted of genocide and extermination as a crime against humanity and was sentenced to 30 years' imprisonment. The accused was acquitted of complicity in genocide. Over the course of 28 trial days, the Chamber heard 34 witnesses. Closing arguments were heard on 24 May 2010.

One multi-accused in judgement drafting: *Bizimungu et al.* ("Government II")

26. The Government II case before Judges Khan, presiding, Muthoga and Short concerns four former Rwandan ministers of the Interim Government of 9 April 1994 — Casimir Bizimungu, Justin Mugenzi, Prosper Mugiraneza and Jérôme-Clément Bicamumpaka. The trial spanned 404 trial days, during which 171 witnesses testified and over 8,000 pages of exhibits were entered into evidence. During the reporting period, the Chamber has been involved in deliberations and judgement drafting and has issued 6 decisions and orders. Judgement delivery is anticipated for the second half of 2011.

Ongoing Trial *Ngirabatware*

27. The case of Augustin Ngirabatware (former Minister of Planning) is being heard by a Chamber composed of Judges Sekule, presiding, Bossa and Rajohnson. The defence case is expected to be completed by the end of 2011. Judgement delivery is anticipated for the first quarter of 2012. During the reporting period, the Chamber heard 23 witnesses and rendered 43 decisions.

(c) Trial Chamber III

28. During the reporting period, Trial Chamber III rendered two judgements, completed trial proceedings in one multi-accused trial, commenced proceedings in two further cases, prepared for trial in two cases and began conducting preservation of evidence hearings.

Judgement in *Ntawukulilyayo*

29. On 3 August 2010, Judges Khan, presiding, Muthoga and Akay delivered Judgement in the case of the former *sous-préfet* of Gisagara, Dominique Ntawukulilyayo. The Chamber convicted the accused of genocide and sentenced him to 25 years' imprisonment, and acquitted him of direct and public incitement to commit genocide. The Trial Chamber heard 35 witnesses over the course of 33 trial days. Closing arguments were heard on 14 June 2010. During the course of the proceedings, the Chamber rendered 38 decisions.

Judgement in *Gatete*

30. On 29 March 2011, a Chamber composed of Judges Khan, presiding, Muthoga and Akay delivered Judgement in *The Prosecutor v. Jean-Baptiste Gatete*, a director in the Rwandan Ministry of Women and Family Affairs in 1994, and previously a *bourgmestre* of Murambi *commune*. The Chamber sentenced Gatete to life imprisonment for genocide and extermination as a crime against humanity. Closing

Arguments were heard on 8 November 2010. During the course of the trial, 49 witnesses were heard over 30 trial days.

One case awaiting closing arguments: *Karemera et al.*

31. In the *Karemera et al.* case, the Chamber, composed of Judges Byron, presiding, Kam and Joensen, continued hearing evidence involving Édouard Karemera, former Minister of the Interior, and Matthieu Ngirumpatse, former President of the Mouvement républicain national pour la démocratie et le développement (MRND). The Chamber heard the presentation of Matthieu Ngirumpatse's case from 23 August 2010 to 18 February 2011. During this reporting period, the Chamber sat for 57 trial days, heard 39 witnesses and issued 95 decisions. Closing arguments are scheduled to be heard from 22 August 2011. The Judgement is expected to be delivered in December 2011.

Three ongoing trials: *Nzabonimana, Ndahimana and Nizeyimana*

32. The Chamber composed of Judges Bossa, presiding, Tuzmukhamedov and Rajohnson continued hearing evidence in the case against Callixte Nzabonimana, the former Minister of Youth. During the reporting period, the Trial Chamber heard 19 witnesses and issued 41 written decisions. Judgement delivery is expected in December 2011.

33. Another Chamber, composed of Judges Arrey, presiding, Tuzmukhamedov and Akay, began hearing evidence in the case against Grégoire Ndahimana, a former *bourgmestre*, on 6 September 2010. During the reporting period, the Trial Chamber heard 45 witnesses and issued 14 written decisions. Judgement delivery is expected by November 2011.

34. The Chamber composed of Judges Muthoga, presiding, Park and Fremr began hearing evidence in the case against Ildéphonse Nizeyimana, former second-in-command in charge of intelligence and military operations at the École des sous-officiers during 1994. The Prosecution case commenced on 17 January and closed on 25 February 2011. The Defence case commenced on 9 May 2011 and closed on 13 June 2011. The Prosecution will present its rebuttal case on or about 7-8 September 2011. During the reporting period, the Chamber heard the evidence of 76 witnesses and rendered 74 decisions. Judgement delivery is anticipated in the first quarter of 2012.

Pre-trial matters

35. During the reporting period, the Pre-Trial Chamber, composed of Judges Byron, presiding, Kam and Joensen, began its work in the case against Jean Uwinkindi, and rendered five decisions.

36. Bernard Munyagishari was arrested in the Democratic Republic of the Congo on 25 May 2011 and transferred to Arusha on 14 June 2011. Munyagishari made his initial appearance before Judge Byron on 20 June 2011, where he pleaded not guilty to the five counts against him.

Referral applications and preservation of evidence hearings

37. A Chamber, composed of Judges Arrey, presiding, Short and Fremr, rendered its decision on 29 June 2011, referring the case against Jean Uwinkindi to the courts

of Rwanda. Another Chamber, composed of Judges Joensen (presiding), Kam and Rajohnson, deferred hearing the referral applications of fugitives Charles Sikubwabo and Fulgence Kayishema until the accused are arrested or until a final decision is rendered in the *Uwinkindi* case.

38. Preservation of evidence hearings pursuant to rule 71 bis began in the case of *The Prosecutor v. Félicien Kabuga* and are being heard by Judge Joensen. Hearings for two other high-level fugitives are planned to commence before the end of 2011.

(d) Appeals Chamber

39. During the reporting period, the Appeals Chamber was seized of appeals from 12 judgements concerning 17 persons, 10 interlocutory appeals, and 10 motions for review or reconsideration. The Appeals Chamber rendered 4 judgements, 9 interlocutory appeal decisions, 7 decisions related to review or reconsideration, and 131 pre-appeal orders and decisions.

Appeal Judgements: *Rukundo, Kalimanzira, Renzaho and Muvunyi*

40. Trial Chamber II convicted Emmanuel Rukundo, a military chaplain, of genocide and of murder and extermination as crimes against humanity on 27 February 2009 and sentenced him to 25 years' imprisonment. The Appeals Chamber heard the parties' appeals on 15 June 2010. In its Judgement of 20 October 2010, the Appeals Chamber affirmed Rukundo's convictions for genocide and for murder and extermination as crimes against humanity but did so on the basis of his responsibility for aiding and abetting those crimes rather than committing them, as the Trial Chamber had found. In addition, the Appeals Chamber reversed Rukundo's conviction for genocide in relation to causing serious mental harm. The Appeals Chamber reduced Rukundo's sentence to 23 years' imprisonment.

41. Callixte Kalimanzira, a former senior official of the Ministry of Interior, was convicted on 22 June 2009 by Trial Chamber III of genocide and direct and public incitement to commit genocide. The Appeals Chamber heard the parties' appeals on 14 June 2010 and, on 20 October 2010, it affirmed Kalimanzira's conviction for aiding and abetting genocide. However, the Appeals Chamber reversed Kalimanzira's remaining convictions and, accordingly, reduced his sentence from 30 to 25 years' imprisonment.

42. On 14 July 2009, Trial Chamber I convicted Tharcisse Renzaho, the former Prefect of Kigali-ville *préfecture*, of genocide, and murder and rape as crimes against humanity and serious violations of article 3 common to the Geneva Conventions and of Additional Protocol II thereto. The Trial Chamber sentenced Renzaho to imprisonment for the remainder of his life. The Appeals Chamber heard Renzaho's appeal on 16 June 2010. On 1 April 2011, the Appeals Chamber reversed some of Renzaho's convictions while affirming convictions for genocide and murder as a crime against humanity and a serious violation of article 3 common to the Geneva Conventions and of Additional Protocol II thereto. The Appeals Chamber also affirmed Renzaho's sentence.

43. Following a retrial, on 11 February 2010, Trial Chamber III convicted Tharcisse Muvunyi, a former Lieutenant Colonel in the Rwandan Army, of direct and public incitement to commit genocide and sentenced him to 15 years'

imprisonment. The Appeals Chamber heard the parties' appeals on 21 October 2010 and, in its Judgement of 1 April 2011, affirmed the conviction and the sentence.

Further appeals from Judgement

44. Théoneste Bagosora, Aloys Ntabakuze and Anatole Nsengiyumva appealed against their Trial Judgement. The Appeals Chamber heard Bagosora's and Nsengiyumva's appeals from 30 March through 1 April 2011. Owing to unavailability of Ntabakuze's counsel for the scheduled hearing of his appeal, the Appeals Chamber severed his case and decided to hear his appeal later. Deliberations are now in progress in the *Bagosora and Nsengiyumva* case. The Appeals Chamber is also deliberating on the parties' appeals in the *Setako* and *Munyakazi* cases, which it heard in March 2011. The Appeals Chamber is also seized of appeals in the *Ntawukulilyayo, Kanyarukiga, Hategekimana* and *Gatete* cases, which are being prepared for hearings, and of the *Ndindiliyimana et al.* case, in which the briefing of the appeals has not yet begun.

D. Activities of the Office of the Prosecutor

45. The Office of the Prosecutor has continued to focus its efforts on the completion of the ongoing trials, the commencement of one new trial and the preparation of another from the two recently arrested fugitives, the transfer of cases of fugitives to national jurisdictions under rule 11 bis and the implementation of rule 71 bis evidence preservation proceedings in respect of three top-level fugitives: Félicien Kabuga, Protais Mpiranya and Augustin Bizimana. Furthermore, the Office continues with the intensification of tracking efforts to arrest the remaining fugitives, the conduct of final as well as interlocutory appeals, the management of archives and records to be transferred to the Residual Mechanism and the provision of assistance to national prosecuting authorities in respect of cases being investigated or prosecuted by them.

46. Rigorous tracking efforts led to the arrest of the fugitive Bernard Munyagishari on 25 May 2011 by the Democratic Republic of the Congo in cooperation with officers from the tracking team of the International Criminal Tribunal for Rwanda. Efforts continue for the arrest of the remaining nine fugitives, and especially of the three top-level fugitives earmarked for trial at the Tribunal. The Prosecutor is confident that the continued cooperation of the Democratic Republic of the Congo will facilitate the arrest of those fugitives, the majority of whom are believed to be in that territory.

47. In conjunction with his efforts to strengthen international cooperation between Member States in the region and the International Criminal Tribunal for Rwanda, the Prosecutor held constructive consultations with the Executive Secretary of the International Conference on the Great Lakes Region. However, while the work of the joint International Criminal Tribunal for Rwanda-Kenya Police Task Force has been reactivated since November 2010, progress on the Félicien Kabuga file remains slow. The Prosecutor continues to urge the Government of Kenya to expedite work on the tracking and arrest of this top-level fugitive. A concerted effort by States members of the Great Lakes Region in collaboration with the Tribunal promises to bring to account the remaining fugitives.

48. In the framework of implementing the referral strategy of the International Criminal Tribunal for Rwanda, the Prosecutor visited a number of European States in April 2011 and held discussions with senior officials to encourage their Governments to consider accepting cases for trial from the Tribunal. A positive response will greatly assist the Tribunal to realize its objective for the expeditious completion of its mandate. Meanwhile, much effort has been invested in the three applications filed in November 2010, seeking the referral to Rwanda of the cases of the arrestee *Uwinkindi* and the fugitives *Sikubwabo* and *Kayishema*. The Prosecutor also continued to provide assistance to Rwanda in its efforts to try 25 other suspects who were investigated but not indicted by the Tribunal, and their files were handed over to Rwanda in 2010.

49. Pursuant to Security Council resolution 1966 (2010), establishing the Arusha Branch of the Residual Mechanism on 1 July 2012, the Office of the Prosecutor has focused on the preparations for a smooth transition to an efficient and effective mechanism. In addition to system-wide coordination within and between the Tribunals, the Offices of the Prosecutors of the International Tribunal for the Former Yugoslavia and the International Criminal Tribunal for Rwanda have also set up an intra-Office of the Prosecutor coordination team that has agreed on the structure and staffing of the common Office of the Prosecutor in line with the objectives of the resolution for a lean and effective mechanism.

50. During the reporting period, there has been a positive signal for international cooperation against impunity and for accountability at the highest levels. Several Member States have continued to enhance their efforts to bring to trial, within their national jurisdictions, the Rwandan suspects appearing on the INTERPOL wanted list. For the effective prosecution of those suspects, the Office of the Prosecutor continues to provide mutual legal assistance and information to national prosecuting authorities. As a result, requests to the Prosecutor for information from the Office's extensive database have increased substantially over the reporting period.

E. Activities of the Registry

1. Office of the Registrar

51. The *Office of the Registrar* continued to act as the channel of communication between the organs of the Tribunal as well as its diplomatic arm. As such, the Office of the Registrar maintained high-level diplomatic contacts with Member States, international organizations and non-governmental organizations. During the reporting period, the Office of the Registrar transmitted more than 540 notes verbales and other correspondence related to the operations of the Tribunal, in particular, to secure support and cooperation from Member States with respect to ongoing trials. The Registry dealt with an increased number of inquiries and requests for legal assistance from national jurisdictions.

52. Rwanda continued to cooperate with the Tribunal by facilitating the flow of witnesses from Kigali to Arusha and by providing relevant documents for use in trial proceedings.

53. An agreement with respect to enforcement of sentences was signed with the Republic of Senegal on 22 November 2010. On 18 July 2010, the Tribunal transferred one convicted person to a Member State to serve the remainder of his

sentence. The Registry is taking the necessary measures to implement four decisions rendered by the President ordering transfer of convicted persons to another Member State in May 2011. Two additional decisions are expected shortly. The relocation of convicted persons who have served their sentence remains an issue of concern calling for a sustainable solution which requires the increased cooperation of Member States.

54. Similarly, the issue of the relocation of persons acquitted by the International Criminal Tribunal for Rwanda continues to be a matter of grave concern for the Tribunal. To date, three acquitted persons remain in Arusha, under the protection of the Tribunal, without proper immigration status as they await relocation to a safe country. The challenge to their relocation is the unfortunate result of the absence of a formal mechanism to secure the support of Member States to accept these persons within their territories. The International Criminal Tribunal for Rwanda considers the resettlement of persons acquitted by an international tribunal to be a fundamental expression of the rule of law and is seriously concerned about the consequences of failing to fulfil this obligation. This view was shared by the Office of the United Nations High Commissioner for Refugees in a UNHCR-ICTR expert meeting organized in Arusha in April 2011. One of the conclusions of the joint expert meeting recognized that the Security Council is where the plight of the acquitted persons belongs, and that the Tribunal has no other choice but to call upon the assistance of the Council to find a sustainable solution to this issue.

55. The *External Relations and Strategic Planning Section* was successful in raising voluntary contributions to the Trust Fund, enabling the Tribunal to carry on its capacity-building and outreach activities. These activities form an important part of the Tribunal's mandate and legacy and are a vital tool for bridging the information gap between the Tribunal and the people of Rwanda at the grass-roots level.

56. The Tribunal welcomed a total number of 3,073 visitors, including high-level United Nations and government officials, academics, civil society, non-governmental organizations and the general public. During the current downsizing phase, the Tribunal has attracted a higher number of visitors.

57. The Information and Documentation Centre in Kigali (Umusanzu) and 10 additional provincial information centres located across Rwanda continue to play a key role in information dissemination, improved communication and access to the jurisprudence of the Tribunal and other legal materials. The centres are visited daily by members of the Rwandan judiciary, students, researchers and the public, who are provided with informative materials and have access to briefings, training, library services, video screenings and the Internet. During the reporting period, the Information Centre in Kigali received approximately 36,000 visitors, while the provincial information centres received approximately 18,000 visitors.

58. During the reporting period, the International Criminal Tribunal for Rwanda engaged in several outreach activities. One of the flagship outreach projects relates to youth sensitization and genocide prevention education in the Great Lakes Region, through an essay and drawings competition for East African students, sponsored by the Federal Republic of Germany. The students were asked to address questions of international justice, the fight against impunity, and the contribution of the Tribunal to national reconciliation. The winners were announced in October 2010. The youth sensitization project also involves the publishing of a cartoon book on the work of

the Tribunal. The cartoon book is expected to be finalized shortly before the end of 2011. The Tribunal launched the 2011 Official Awareness Raising Programme in Huye District, Southern Region of Rwanda, on 28 and 29 April 2011. The programme included the display of the Genocide Exhibition Panels and posters of the winning essays and drawings.

59. Additionally, the International Criminal Tribunal for Rwanda, in collaboration with the National Commission for the Fight against Genocide and the Kigali Memorial Centre, conducted an exhibition in commemoration of the seventeenth anniversary of the Rwandan genocide from 4 to 15 April 2011. From May to July 2011, with funds from the Department of Public Information in New York, Awareness Raising Programmes for Lessons Learned from the Genocide of 1994 were successfully conducted in six major prisons throughout Rwanda. Approximately 29,799 prison inmates and officials attended. The Tribunal has continued to undertake capacity-building activities for about 700 legal professionals in Rwanda, with the aim of further strengthening the Rwandan justice sector in areas such as investigation, witness protection, evidence and information management, and oral and written advocacy skills. Those activities were mostly organized to equip the Rwandan judiciary with the necessary tools for successfully taking up cases that may be referred from the Tribunal. Some examples of the many initiatives that the Tribunal conducted are online legal research training for law students, and two similar trainings for members of the Rwandan judiciary at the Institute for Legal Practice and Development and the Huye Intermediate Court. The Tribunal conducted a training-of-trainers session in Rwanda with respect to increasing library collections through online resources. In May 2011, the fourth Training Workshop and Moot Competition for members of the Kigali Bar Association was conducted.

60. To sum up, the International Criminal Tribunal for Rwanda has actively continued to organize training and workshops aimed at strengthening the capacity of the Rwandan judiciary and raising awareness of the work of the Tribunal among the Rwandan public. Additional capacity-building and outreach programmes have been planned for this reporting period and could be implemented subject to availability of funds, which are extrabudgetary, for various communes in Rwanda for approximately 5,000 participants, as well as for over 28,000 students and teachers from Rwandan schools.

61. Through its Communication Cluster, the External Relations and Strategic Planning Section has ensured the wide dissemination of information about the Tribunal's activities by press meetings, newsletters and press releases, as well as the website, films and information brochures, in English, French and Kinyarwanda. The unit also processed numerous local and international media inquiries and broadcast trial proceedings via satellite. It launched exhibitions on the work of the Tribunal in East Africa, the Gambia and Senegal and organized film screenings, talks and discussions in several African capitals as well as throughout Rwanda. An open line of communication is maintained with universities and other educational institutions in the region.

62. During the reporting period, the *Gender Focal Point* prepared proposals for soliciting funds to replenish the depleted Trust Fund for the Support Programme for Witnesses. The International Criminal Tribunal for Rwanda set up a clinic for witnesses thanks to voluntary contributions from Member States for ensuring the provision of physical and psychological care to witnesses residing in Rwanda, in

particular those living with HIV/AIDS as a result of sexual violence suffered during the genocide. The campaign received a contribution from the Government of Spain during the reporting period. Regrettably, the funds have been depleted and without any immediate injection of resources, the clinic will be forced to halt the provision of its services and life-saving treatment. In addition, witnesses residing in Rwanda continued to benefit from the gender-sensitive counselling provided by the nurse psychologists resident at the Tribunal's clinic in Rwanda.

63. The *Internship Programme* welcomed 197 interns to the Tribunal during this reporting period; 165 were assigned to either Chambers or the Office of the Prosecutor. In addition, the Pro bono Legal Researchers Programme was able to utilize the services of four qualified lawyers in Chambers and the Office of the Prosecutor. Furthermore, 15 Legal Researchers from 12 African countries benefited from the funding made available from the European Union, and were able to assist in the work of the Tribunal. However, as donors have stopped funding this programme, no further Legal Researchers will be made available to assist the Tribunal. These programmes have assisted the implementation of the Completion Strategy, especially following the abolition of regular posts Tribunal-wide.

64. The *Legal Services and Internship Programme Unit* also continued to play an important legal advisory role for issues pertaining to the proper implementation and interpretation of United Nations administrative rules, and for cases relating to the immunities and privileges of staff regarding civil and criminal cases, in addition to interpreting and reviewing agreements. During the reporting period, the Unit mediated and settled 21 cases between staff members and local law enforcement offices, as well as domestic employees.

2. Judicial and Legal Services Division

65. The *Court Management Section* provided support services to the judicial processes of the Tribunal, including provision of real-time transcripts of proceedings, support for site visits to Rwanda, certification of witness statements, depositions and video-link hearings from various countries. As part of its role in the capacity-building and outreach activities of the Tribunal, the Section continued to conduct training sessions for representatives of various African countries, including demonstrations on the Tribunal's system for the instantaneous production of transcripts. It also conducted specialized training sessions aimed at strengthening the institutional capacity of the judicial sector in Rwanda. As a major component of the Tribunal's preparations for the transition to the Residual Mechanism, the Court Management Section contributed to drafting the policies and guidelines for the records and archives to be transferred and managed by the Residual Mechanism. It also continued its work on the redaction and digitization of the collection of audio-visual recordings of the Tribunal's proceedings.

66. The *Defence Counsel and Detention Management Section* continued to provide essential and improved support services to the Registry, Chambers and the Prosecutor. The Section improved the supporting services to detainees, prisoners and their Counsel to guarantee the detainees' and prisoners' right to legal representation. The legal aid programme proved efficient, effective and economical. During the period under review, the electronic billing system was tested and proved feasible.

67. During the reporting period, judgements for 18 accused were rendered by the Trial and Appeals Chambers of the Tribunal. Among them, one detainee was sentenced to time served and was released forthwith. Over the same period, the *United Nations Detention Facility* accommodated 19 detained witnesses from Rwanda and one prisoner witness from Mali who were called to testify in various trials.

68. On 18 July 2010, one prisoner was transferred to a Member State to serve his sentence. On 1 July 2010, one detainee died at an Arusha hospital following a long illness. One detainee who was arrested in the Democratic Republic of the Congo on 25 May 2011 was transferred and admitted to the United Nations Detention Facility on 14 June 2011.

69. As of 30 June 2011, the population of inmates at the United Nations Detention Facility was a total of 36 detained persons (12 detainees and 24 convicted persons).

70. The International Committee of the Red Cross visited the United Nations Detention Facility on 15 June 2011 and interviewed detainees. The Committee commended the Facility's management for the accomplishment of its goals, particularly the good condition of the detention.

71. During the reporting period, the *Witness and Victims Support Section* ensured the timely availability of 216 witnesses brought from 21 countries. Threat assessments were conducted for some witnesses. In accordance with protective measures ordered by the Chambers, transcripts were redacted to expunge identifying information concerning witnesses or their family members, prior to the transcripts being made public. The Section has intensified its post-trial monitoring activities in the countries of residence of witnesses who appeared before the Tribunal. Several witnesses residing in Rwanda received assistance aimed at improving their medical and psychological rehabilitation. The Section enjoyed the cooperation of several Member States, which issued temporary travel documents enabling witnesses to travel to and from Arusha, and of offices of the United Nations High Commissioner for Refugees in a number of African countries, which assisted in facilitating the movement and protection of witnesses. Some Member States also provided assistance in escorting witnesses. The Section conducted two trainings on witness protection for Rwandan judiciary and Tanzanian law enforcement and judicial officers.

72. The *Language Services Section* provided interpretation, translation and reproduction services to the Chambers, the parties and the Registry. During the reporting period, seven trial judgements and four appeals judgements, a significant number of decisions as well as of other documents such as pre-trial and closings briefs, and motions were translated. The roster of translators, interpreters and proofreaders established with a view to pre-empting any potential disruption of trials was kept in place and was used on one occasion to bring two Kinyarwanda interpreter-translators on board. In addition, documents for translation were outsourced, and freelance revisers were recruited to alleviate the heavy workload of the Section.

73. The *Legal Library and Reference Section* continues to play a crucial role in delivering legal materials needed to support the judicial process. In addition, the Legal Library released the new versions of the full-text searchable "ICTR basic

documents and case law", covering the period 1995-2010 for the DVD and the year 2010 for the CD-ROM.

3. Division of Administrative Support Services

74. The process of downsizing continued to pose major challenges to the operations of the entire Tribunal. The *Division of Administrative Support Services* continued to respond to those challenges in a proactive and flexible manner.

75. The staff members of the Tribunal come from 72 countries and, as of 29 June 2011, the Tribunal had 666 staff members against an authorized complement of 827 posts, with 161 vacant posts, a 19 per cent vacancy rate. Based on the current attrition rate trend as staff members continue to look for more stable jobs elsewhere, it is anticipated that the vacancy rate will be above 20 per cent by the end of 2011. The gender ratio of staff at the Professional level and above is 64 per cent male and 36 per cent female.

76. During the downsizing phase, attracting and retaining competent staff continues to pose a major challenge. The short duration of contracts issued to staff members has contributed to increased uncertainty and has continued to have a negative impact on productivity. The Division put in place measures aimed at retaining staff and is closely working with the Office of Human Resources Management on the modality of issuing contracts in line with the judicial calendar as a way of issuing contracts of longer durations to those whose services will still be required. In parallel, the consultative staff retention exercise continues to be conducted in order to determine the number and composition of staff to be retained until the completion of the Tribunal's work. It should be noted that the current limitation of duration of temporary appointments has the potential of impacting negatively on the Completion Strategy. The Tribunal's Management is consulting with the Office of Human Resources Management with the aim of instituting flexibility measures to address this concern.

77. The *Career Resource Centre* has been organizing career development workshops and training to support staff in their professional aspirations. The *Human Resources Planning Section* continues to actively assist staff who are leaving the Tribunal. In May 2011, a series of presentations and individual consultations were organized in collaboration with the United Nations Joint Staff Pension Fund to inform staff about their pension entitlements. The Section also organized another Job Fair in June 2011, and has once again issued an online compendium of skills (e-fact sheets) in an attempt to support all categories of staff in securing employment beyond their assignment with the Tribunal. The Section also continues to provide advice to staff members and judges on their final entitlements and on the implications of the new contractual arrangements and Staff Rules.

78. The *Security and Safety Section* continued to update and test its contingency plans in order to ensure the safety and security of the Tribunal's staff, premises, assets and operations through dedicated interaction with the host country's security services and with the Office of the Security Advisor of the United Republic of Tanzania. During the reporting period, no major incidents occurred. The United Nations security guidelines were fully implemented and safety and security information was shared with the staff regularly and in a timely manner.

79. The *Information Technology Services Section* continued to provide vital support to the Tribunal. The *Electronic Data Processing Unit* maintains the information and technology infrastructure of the Tribunal, supporting and meeting the computing needs of the various business units. During the reporting period, a number of business process systems were brought online that added efficiency and timelines to standard administrative procedures within the Division of Administrative Support Services. Infrastructure upgrades were made to the network and data centre to replace obsolete equipment and add capacity to support the critical audio-visual digitization and other legacy projects. The *Audio-visual Unit* provides video coverage of all court proceedings and videoconferencing services for remote witness testimonies and meetings. The Telecommunications Unit supports the operation and maintenance of the telephone network, two satellite earth stations, rural telephone links and two-way radio networks and the telephone billing and switchboard operator services.

80. The *Health Services Unit* provided curative, preventive and trauma counselling support and performed medico-administrative duties for judges and staff members and their dependants, as well as for detainees, witnesses and victims. The Unit monitored clients' health through four sub-units: two in Kigali and two in Arusha. In Kigali, witnesses received a full medical check-up and medical care before transfer to Arusha for testimony. In Arusha, the United Nations Detention Facility sub-unit cared for detainees, prisoners and prisoner-witnesses. At the headquarters clinic, clients received medicines, laboratory services and immunization free of charge.

81. The *Counselling and Welfare Unit* addressed psychosocial issues of staff members and recognized family members, and implemented welfare activities for the wellness of all staff. The Unit also continued to provide trauma counselling to witnesses and professional psychological support to staff and their families. The services of the Staff Counsellor were available on a 24-hour basis.

82. In the area of resources management, the *Budget Unit* continued to provide expertise on proper planning, control and monitoring of the utilization of available resources. The *Finance Section* continued to provide timely and reliable services to staff members and clients of the Tribunal.

83. The *General Services Section* and the *Procurement Section* provided vital support to the Tribunal. The *Building Management Services*, in line with the Completion Strategy, started to relocate surplus accommodation containers from Kigali to Arusha for use as offices, thus allowing for the return of some regular rental space to the landlord. The *Asset Management Services* improved the reception and inspection of goods purchased by the Tribunal. Efforts were made to introduce the Galileo Inventory Management System. The Unit has also accelerated the process for the disposal of old and obsolete property. The recently acquired warehouse facilities in the context of the scaling down of the Tribunal operations is serving as a central point for commercial disposal of written-off assets. In order to monitor and control the use of the official vehicles, the *Transport Services Unit* has fitted almost all of the Tribunal's vehicles with Global Positioning System tracking. These devices offer real-time information on fuel utilization, the actual location of a vehicle, and the speed at which it is driven. This not only enhanced discipline on the roads but also made possible the quick recovery of a stolen official vehicle. The *Central Registry/Mail/Pouch and Archives Services* continued to provide services to the entire house. The *Central Archives Facility* continued archiving records

generated by sections/units of the Division and scanning and entering metadata into the Tower Records Information Management database. A functional archiving structure was established for Kigali records of the Division of Administrative Support Services. The *Procurement Section* continued to ensure that the goods and services required by the Tribunal to undertake its activities effectively were provided on time and within budget. It also worked closely with units such as Transport to identify possible outsourcing of services such as repair and maintenance of vehicles. The Section also handled successfully the commercial disposal of some of the Tribunal's furniture, vehicles and equipment.

III. Conclusion and recommendations

84. The Tribunal made significant progress during the past year towards achieving the goals of the Completion Strategy despite a very heavy workload: six trial judgements representing 14 accused were delivered. At the trial level, the delivery of judgements in all remaining cases, except for two, is expected before the end of 2011.

85. State cooperation remains the cornerstone of the Tribunal's ability to complete its mandate, and the Tribunal appreciates the continued trust and support of Member States.

86. With the close cooperation of Member States, one fugitive was arrested in the region during the reporting period. Additional efforts will have to be made, however, both by the Tribunal and by Member States, to ensure the arrest of the remaining nine fugitives, in particular the three high-ranking accused earmarked for trial before the Tribunal who have evaded justice for over 17 years.

87. The Tribunal reiterates its call for urgent action to help to find host countries for the three acquitted persons who remain in a safe house in Arusha under the Tribunal's protection. For one of those individuals, it has been over four years since the confirmation of his acquittal by the Appeals Chamber. The International Criminal Tribunal for Rwanda considers the resettlement of persons acquitted by an international criminal tribunal to be a fundamental expression of the rule of law and is concerned about the consequences of failing to fulfil this obligation.

88. Finally, maintaining an adequate level of experienced staff remains the key challenge for the Tribunal as an organization approaching the end of its mandate. The Tribunal appreciates all the support given by Member States to efforts to address this pressing situation.

89. The Tribunal has been engaged in work directly related to the Rwandan genocide for more than 17 years. The genocide has greatly affected everyone at the Tribunal, and seeking justice for the victims continues to drive our commitment to the goal of ensuring that never again will such atrocities occur. We call for the support of the international community to provide us with the necessary resources to accomplish our mandate, and we hope that our work will lead the way in the continued fight against impunity.

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Item 74 of the provisional agenda*
Report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991

Security Council
Sixty-sixth year

Report of the International Tribunal for the Former Yugoslavia

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly and the members of the Security Council the eighteenth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, submitted by the President of the International Tribunal in accordance with article 34 of the statute of the Tribunal (see S/25704 and Corr.1, annex), which states that:

> The President of the International Tribunal shall submit an annual report of the International Tribunal to the Security Council and to the General Assembly.

* A/66/150.

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Letter of Transmittal

31 July 2011

Excellencies,

I have the honour to submit the eighteenth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991, dated 31 July 2011, to the General Assembly and the Security Council, pursuant to article 34 of the statute of the International Tribunal.

Please accept, Excellencies, the assurances of my highest consideration.

(*Signed*) Patrick **Robinson**
President

President of the General Assembly
United Nations
New York

President of the Security Council
United Nations
New York

Eighteenth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia Since 1991

Summary

The eighteenth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 covers the period from 1 August 2010 to 31 July 2011.

The Tribunal continued to focus upon the completion of all trials and appeals. At the close of the reporting period, 16 persons are in appeal proceedings, 14 persons are on trial, and 5 are at the pretrial stage. The Trial Chambers delivered judgements in the *Gotovina et al.* and *Đorđević* cases. The Appeals Chamber delivered one Judgement on review in the *Šljivančanin* case and one appeal Judgement in the *Hartmann* case.

President Patrick Robinson (Jamaica); Vice-President O-Gon Kwon (Republic of Korea); the Prosecutor, Serge Brammertz; and the Registrar, John Hocking, continued to fulfil their duties at the Tribunal.

The Office of the Prosecutor made progress towards the completion of the Tribunal's mandate at both the trial and appellate levels. The Office of the Prosecutor continued to further develop interaction with the authorities of the States of the former Yugoslavia to encourage cooperation with the Tribunal and support domestic war crimes prosecutions.

Under the authority of the President, the Registry continued to play a crucial role in the provision of administrative and judicial support to the Tribunal. The Immediate Office of the Registrar coordinated the work of the various Registry sections and dealt with a vast range of legal, policy and operational matters, including the practical arrangements necessary for the commencement of the International Residual Mechanism for Criminal Tribunals and the enhancement of the capacity for the enforcement of sentences imposed by the Tribunal. The Communications Service carried out a diverse range of activities with a view to increasing the profile of the Tribunal and bringing its judgements to the relevant communities. The Court Management and Support Services Section supported 10 cases at trial, five cases on appeal, and four contempt cases. The Conference and Language Services Section continued to provide interpretation, translation, and court reporting services of the highest quality in the working languages of the Tribunal, as well as the Bosnian/Croatian/Serbian, Macedonian and Albanian languages. The Victims and Witnesses Section facilitated and supported close to 500 witnesses travelling to The Hague to give evidence. The Office for Legal Aid and Detention Matters serviced multiple defence teams in cases in pretrial, trial and appellate proceedings, as well as amici curiae appointed by Chambers, and provided facilities to self-represented accused in cooperation with other sections of the Registry. The United Nations Detention Unit continued to operate at a high level of activity and provided the highest levels of security and custodial care to all detained persons. The Division of Administration coordinated the preparation of the revised budget estimates for the biennium 2010-2011 and the proposed budget for the biennium 2012-2013, was

heavily involved in the formulation of the first budget of the International Residual Mechanism for Criminal Tribunals, remained actively engaged in the implementation of the downsizing and comparative review process, and worked closely with staff representatives in the implementation of the second comparative review exercise.

All organs of the Tribunal faced significant challenges during the reporting period in meeting the objectives of the completion strategy owing to the devastating impact of staff attrition. In response, the President urged the Security Council to take measures to help the Tribunal to find practicable solutions to address this issue as the Tribunal approaches the completion of its work.

To date, the Tribunal has concluded proceedings against 126 of the 161 persons indicted by the Tribunal. The report that follows details the activities of the Tribunal during the reporting period and demonstrates the Tribunal's focus on its goal of completing its proceedings as soon as possible, without sacrificing due process.

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I. Introduction

1. The eighteenth annual report of the International Tribunal for the Prosecution of Persons Responsible for Serious Violations of International Humanitarian Law Committed in the Territory of the Former Yugoslavia since 1991 outlines the activities of the Tribunal for the period from 1 August 2010 to 31 July 2011.

2. During the reporting period, the Tribunal continued to implement its completion strategy endorsed by the Security Council in resolution 1503 (2003). The Tribunal continued to focus on the completion of all trials and appeals. At the close of the reporting period, 16 persons are in appeal proceedings, 14 persons are on trial, and 5 are at the pretrial stage. The Trial Chambers delivered Judgements in the *Gotovina et al.* and *Đorđević* cases. The Appeals Chamber delivered one Judgement on review in the *Šljivančanin* case and one appeal Judgement in the *Hartmann* case. To date, the Tribunal has concluded proceedings against 126 of the 161 persons indicted by the Tribunal.

3. President Patrick Robinson (Jamaica); Vice-President O-Gon Kwon (Republic of Korea); the Prosecutor, Serge Brammertz; and the Registrar, John Hocking, continued to fulfil their duties at the Tribunal.

4. Measures were taken during the reporting period to reform the Tribunal's procedures in order to maximize efficiency.

5. The pace of the Tribunal's trials and appeals continued to be affected by staffing shortages and the loss of highly experienced staff members. Despite resolutions by the General Assembly and the Security Council on the issue of staff retention, this problem persists. In response, the President urged the Security Council to take measures to help the Tribunal to find practicable solutions to address this issue as the Tribunal approaches the completion of its work. Without practical and effective staff retention measures, the estimates for the completion of the core work of the Tribunal may have to be revised.

II. Activities involving the entire Tribunal

A. President

6. President Robinson continued to focus his efforts on the core functions of the Tribunal — trial and appeals. He also instituted internal reforms, pursued capacity-building and legacy projects, conducted diplomatic relations, and carried out the judicial responsibilities of the Office of the President.

1. Internal reforms

7. The Tribunal amended rule 94 (B) in order to clarify the law pertaining to the judicial notice of adjudicated facts, in order to ensure efficient use of the Rules by the parties to the proceedings.

8. During the last reporting period, the President reconstituted the Working Group on Speeding Up Trials to undertake a third review of the Tribunal's practices in order to assess whether further improvements could be implemented into the work of the Chambers. The Working Group submitted its report on 21 May 2010

and recommended a number of reforms to the Tribunal's procedures. On 7 June 2010, the Judges adopted those recommendations and decided to integrate them into the ongoing proceedings. During this reporting period, the Judges continued to implement the recommendations of the Working Group into their proceedings.

9. A new, more empirical methodology has been applied to appeal projections, the aim of which is to generate timelines for appeals that, it is hoped, will largely remain the same until the end of the work of the Tribunal. Moreover, the Appeals Chamber has implemented a number of reforms of its working methodology in order to augment the efficiency of its proceedings, including the limitation of amendments to grounds of appeal, the organization of Judgement drafting, and the prioritization of work.

2. Capacity-building and legacy

10. The President continued to advance the capacity-building of national jurisdictions as a priority of the Tribunal's legacy strategy. On 28 September 2010, the Tribunal, the Office for Democratic Institutions and Human Rights of the Organization for Security and Cooperation in Europe, and the United Nations Interregional Crime and Justice Research Institute officially launched the joint 18-month "War Crimes Justice Project" in Belgrade. Encouraged by the fruitful outcome of the Tribunal's conference "Assessing the Legacy of the ICTY", which explored aspects of the Tribunal's legacy, particularly in the former Yugoslavia, the Tribunal will convene a second conference on 15 and 16 November 2011, concentrating on the Tribunal's global legacy. The Tribunal is also preparing for the establishment of information centres under local ownership in the former Yugoslavia.

3. Diplomatic relations

11. President Robinson was actively involved in cooperation, outreach and reporting activities to secure support for the Tribunal's work and increase its international profile.

12. On 1 September 2010, the President welcomed a group of judges and prosecutors from Serbia on a three-day study visit to the Tribunal. The visit was part of the Tribunal's ongoing efforts to strengthen cooperation and knowledge-sharing with members of the judiciary in the former Yugoslavia. President Robinson and other Tribunal Judges met with the visiting members of the Serbian judiciary to discuss topics including witness protection, plea bargaining, sentencing practice, case management, the appeals process, and legal standards in war crimes adjudication.

13. On 28 September, the President launched the "War Crimes Justice Project" in Belgrade to facilitate transfer of the Tribunal's unique institutional knowledge and specialized skills to jurisdictions in the region and ensure that those jurisdictions have access to the Tribunal's materials in a useable format.

14. On 8 October, the President addressed the General Assembly regarding the Tribunal's seventeenth annual report (A/65/205-S/2010/413).

15. On 6 December, the President addressed the Security Council regarding the fourteenth report of the Tribunal on its completion strategy (S/2010/588).

16. On 6 June 2011, the President addressed the Security Council regarding the fifteenth report of the Tribunal on its completion strategy (S/2011/316).

17. On 21 and 22 June 2011, President Robinson and the Registrar, John Hocking, attended a two-day meeting in Zagreb of the Informal Consultative Working Group on the Establishment of Information Centres in the Former Yugoslavia. The goal of the meeting was to further discuss the establishment of information and documentation centres across the region, as well as access to the Tribunal's judicial archives.

4. Judicial activity

18. By virtue of the powers vested in him by the statute, the Rules, and the Practice Directions of the Tribunal, the President issued numerous orders assigning cases to Chambers and reviewed several decisions of the Registrar. The President also granted two requests for pardon, commutation of sentence, and early release of persons convicted by the Tribunal, and rejected seven such applications.

B. Bureau

19. Pursuant to rule 23 of the Rules, the Bureau is composed of the President, the Vice-President and the Presiding Judges of the Trial Chambers. The President consulted the Bureau on requests for pardon, commutation of sentence, and early release of convicted persons serving their sentences.

C. Coordination Council

20. Pursuant to rule 23 bis of the Rules, the Coordination Council consists of the President, the Prosecutor and the Registrar. During the reporting period, the Council met to discuss, inter alia, staff retention, capacity-building and legacy activities, and the Tribunal's contribution to the creation of and smooth transition to the International Residual Mechanism for Criminal Tribunals.

D. Plenary sessions

21. During the reporting period, the Judges held two regular plenary sessions. At the 39th plenary session, on 8 December 2010, the Judges repealed rule 23 ter, the Management Committee; amended rule 15 ter (C), Reserve Judges; adopted new rules 75 bis, Requests for Assistance of the Tribunal in Obtaining Testimony, and 75 ter, Transfer of Persons for the Purpose of Testimony in Proceedings Not Pending Before the Tribunal; and amended rule 94 (B), Judicial Notice. At the 40th plenary session, on 16 June 2011, the Judges discussed proposed amendments to rules 65, 75 bis and 75 ter.

E. Rules Committee

22. The judicial membership of the Rules Committee comprises Judge Carmel Agius (Chair), President Patrick Robinson, Vice-President O-Gon Kwon, and Judges Alphons Orie and Christoph Flügge. The non-voting members include the Prosecutor, the Registrar and a representative of the Association of Defence Counsel. During the reporting period, the Rules Committee met three times on the

following dates to discuss proposals to the Rules and make recommendations to the Judges: 5 October 2010 and 4 February and 5 April 2011.

III. Activity of Chambers

A. Composition of the Chambers

23. The Tribunal currently has 25 Judges from 23 countries. The Chambers are composed of 13 permanent Judges, 2 permanent Judges from the International Criminal Tribunal for Rwanda serving in the Appeals Chamber, and 10 ad litem Judges.

24. The permanent Judges are Patrick Robinson (President, Jamaica), O-Gon Kwon (Vice-President, Republic of Korea), Christoph Flügge (Germany), Alphons Orie (Netherlands), Fausto Pocar (Italy), Liu Daqun (China), Theodor Meron (United States of America), Carmel Agius (Malta), Jean-Claude Antonetti (France), Bakone Justice Moloto (South Africa), Burton Hall (Bahamas), Howard Morrison (United Kingdom of Great Britain and Northern Ireland), and Guy Delvoie (Belgium). The permanent Judges from the Tribunal serving in the Appeals Chamber are Mehmet Güney (Turkey) and Andrésia Vaz (Senegal). Judge Kevin Parker (Australia) also served as a permanent Judge during the reporting period, but resigned from the Tribunal on 28 February 2011.

25. During the reporting period, the following have served as ad litem Judges: Árpád Prandler (Hungary), Stefan Trechsel (Switzerland), Antoine Kesia-Mbe Mindua (Democratic Republic of the Congo), Frederik Harhoff (Denmark), Flavia Lattanzi (Italy), Pedro David (Argentina), Michèle Picard (France), Elizabeth Gwaunza (Zimbabwe), Melville Baird (Trinidad and Tobago) and Prisca Matimba Nyambe (Zambia). Judge Uldis Ķinis (Latvia) also served as an ad litem Judge during the reporting period, but resigned from the Tribunal on 18 April 2011.

26. The following Judges served in the Trial Chambers during the reporting period: Judges Kwon (presiding), Parker (presiding), Flügge (presiding), Orie (presiding), Antonetti (presiding), Moloto (presiding), Hall (presiding), Morrison, Delvoie, Prandler, Trechsel, Mindua, Harhoff, Lattanzi, David, Picard, Ķinis, Gwaunza, Baird and Nyambe.

27. The Appeals Chamber is composed of Judges Robinson (presiding), Güney, Pocar, Liu, Vaz, Meron and Agius.

B. Principal activity of the Trial Chambers

1. Trial Chamber I

(a) Pretrial

Mladić

28. Ratko Mladić was arrested on 26 May 2011 and transferred to the seat of the Tribunal on 31 May 2011. The initial appearance was held before Judges Orie (presiding), Flügge and Moloto on 3 June. The accused did not enter a plea at that time. A further appearance was held on 4 July, at which the Presiding Judge entered a plea of not guilty on the accused's behalf.

(b) Trial

Gotovina, Čermak and Markač

29. The Judgement was rendered on 15 April 2011. The Trial Chamber convicted Ante Gotovina and Mladen Markač on eight counts of crimes against humanity and violations of the laws or customs of war and sentenced them to 24 and 18 years' imprisonment, respectively. The Trial Chamber acquitted Ivan Čermak on all counts.

Perišić

30. Momčilo Perišić is charged with crimes against humanity and violations of the laws or customs of war allegedly committed in Sarajevo and Srebrenica (Bosnia and Herzegovina), as well as in Zagreb (Croatia) between August 1993 and November 1995. The Trial Chamber is composed of Judges Moloto (presiding), David and Picard. The trial commenced on 2 October 2008. The Prosecution concluded its case on 25 January 2010. The Defence started its case on 22 February 2010 and concluded its case on 11 January 2011. Final briefs were filed on 4 March 2011, and final arguments were heard on 28 March 2011. The case is currently in Judgement drafting.

J. Stanišić and Simatović

31. Jovica Stanišić and Franko Simatović are charged with crimes against humanity and violations of the laws or customs of war allegedly committed in Croatia and Bosnia and Herzegovina between April 1991 and December 1995. The Trial Chamber is composed of Judges Orie (presiding), Picard and Gwaunza. The trial commenced on 28 April 2008, but was adjourned by order of the Appeals Chamber of 16 May 2008 because of the health of Stanišić. The trial recommenced on 2 June 2009. The Prosecution concluded its case on 5 April 2011. The Stanišić Defence started its case on 14 June 2011.

(c) Contempt

Kabashi

32. On 5 June 2007, the Trial Chamber issued an order in lieu of indictment against Shefqet Kabashi. On 11 December 2007, the Trial Chamber referred the case to the Prosecution to further investigate and prosecute the matter. On 18 February 2008, the Trial Chamber granted the Prosecution leave to amend the indictment. No trial has started since the accused is at large.

2. Trial Chamber II

(a) Pretrial

Haradinaj et al. retrial

33. On 21 July 2010, the Appeals Chamber granted the Prosecution's request for a reversal of the Trial Chamber's decision to acquit Ramush Haradinaj, Idriz Balaj and Lahi Brahimaj on certain counts in the indictment and ordered a partial retrial of the case. The retrial indictment, as confirmed by the Appeals Chamber, charges the accused with six counts of war crimes committed in Kosovo in 1998. The Trial Chamber is composed of Judges Moloto (presiding), Hall and Delvoie. The retrial is scheduled to commence on 18 August 2011.

Hadžić

34. Goran Hadžić was arrested on 20 July 2011 and transferred to the seat of the Tribunal on 22 July 2011. On 21 July 2011, the President of the Tribunal had assigned the case to a bench consisting of Judge Delvoie (presiding), Hall and Mindua. On 25 July 2011, the initial appearance was held. The case is in the very early stages of pretrial preparation.

(b) Trial

Đorđević

35. Vlastimir Đorđević was charged with crimes against humanity and violations of the laws or customs of war allegedly committed in Kosovo in 1999. Đorđević was arrested on 17 June 2007, and the trial commenced on 27 January 2009. The Trial Chamber, composed of Judges Parker (presiding), Flügge and Baird, issued its Judgement on 23 February 2011. It found Đorđević guilty of five counts of crimes against humanity and violations of the laws or customs of war committed through his participation in a joint criminal enterprise and for having aided and abetted the murder of 724 Kosovo Albanians, specifically named in the schedule to the Judgement, the deportation and forcible transfer of hundreds of thousands of Kosovo Albanians from more than 60 locations listed in the Judgement, and the destruction of Kosovo Albanian religious and cultural property. The Chamber sentenced the accused to 27 years' imprisonment.

M. Stanišić and Župljanin

36. Mićo Stanišić and Stojan Župljanin are both charged with 10 counts of crimes against humanity and violations of the laws or customs of war allegedly committed in April through December 1992 in Bosnia and Herzegovina. The Trial Chamber is composed of Judges Hall (presiding), Delvoie and Harhoff. Trial commenced on 14 September 2009, and the Prosecution closed its case on 2 February 2011. The Defence of Mićo Stanišić opened its case on 11 April 2011 and is expected to close shortly, to be followed by the Župljanin defence case.

Tolimir

37. Zdravko Tolimir is charged with genocide, conspiracy to commit genocide, crimes against humanity, and a violation of the laws or customs of war allegedly committed in Bosnia and Herzegovina in 1995. The Trial Chamber is composed of Judges Flügge (presiding), Mindua and Nyambe. The trial commenced on 26 February 2010, and the Prosecution's case-in-chief is now close to completion.

(c) Contempt

Šešelj

38. On 3 February 2010, the Trial Chamber issued an order in lieu of indictment charging Vojislav Šešelj with contempt for having disclosed in a book information which may identify 11 protected witnesses in violation of orders of a Chamber. The trial proceedings began on 22 February 2011 and ended on 8 June 2011. The Judgement is being prepared.

Šešelj

39. On 9 May 2011, the Trial Chamber issued an order in lieu of indictment charging Vojislav Šešelj with contempt for failing to remove from his website confidential information in violation of an order of a Chamber. The Chamber will prosecute the matter itself. The initial appearance was held on 6 July 2011.

3. Trial Chamber III

(a) Pretrial

40. There are no pretrial cases pending before Trial Chamber III.

(b) Trial

Karadžić

41. Radovan Karadžić is charged under 11 counts with genocide, crimes against humanity, and violations of the laws or customs of war allegedly committed in Bosnia and Herzegovina between 1992 and 1995. The Trial Chamber is composed of Judges Kwon (presiding), Morrison, Baird and Lattanzi (reserve). The trial commenced on 26 October 2009. The case is currently hearing the Prosecution's case-in-chief.

Šešelj

42. Vojislav Šešelj is charged with crimes against humanity and violations of the laws or customs of war allegedly committed in Croatia, Bosnia and Herzegovina, and Vojvodina (Serbia) between August 1991 and September 1993. The Trial Chamber is composed of Judges Antonetti (presiding), Harhoff and Lattanzi. The trial started anew on 7 November 2007, but then was adjourned on 11 February 2009. The trial resumed on 12 January 2010. After the close of the Prosecution's case-in-chief, the Trial Chamber on 4 May 2011 ruled under rule 98 bis that there was enough evidence to support the counts alleged in the indictment. On 9 June 2011, the Trial Chamber ordered the accused to file the lists of witnesses he intends to call and exhibits he intends to tender as evidence during his defence case. These are expected to be filed the first week of August 2011, with the defence case expected to start thereafter.

Prlić et al.

43. Jadranko Prlić, Bruno Stojić, Slobodan Praljak, Milivoj Petković, Valentin Ćorić and Berislav Pušić are charged with grave breaches of the Geneva Conventions, crimes against humanity, and violations of the laws or customs of war allegedly committed between November 1991 and April 1994 in Bosnia and Herzegovina. The Trial Chamber is composed of Judges Antonetti (presiding), Prandler, Trechsel and Mindua (reserve). The trial commenced on 26 April 2006, and the defence case was completed in May 2010. On 7 January 2011, the parties filed their final briefs. The presentation of closing arguments began on 7 February and ended on 2 March 2011. The Judgement is being prepared.

(c) Contempt

Rašić

44. Jelena Rašić, a former member of the Milan Lukić defence team, is charged with contempt of the Tribunal for allegedly procuring false statements in exchange for money from three persons to be called as witnesses for the Milan Lukić defence in *Prosecutor v. Milan Lukić and Sredoje Lukić* (Case No. IT-98-32/1-T). The Trial Chamber is composed of Judges Morrison (presiding), Hall and Delvoie. On 22 September 2010, Rašić pleaded not guilty on all counts of the indictment. The trial is expected to be held in early autumn 2011.

4. Rule 11 bis Referral Bench

45. The Rule 11 bis Referral Bench has transferred all low- and mid-level accused from its trial docket in accordance with Security Council resolution 1503 (2003).

5. Rule 75 (H) Bench

46. The Rule 75 (H) Bench, composed of Judges Moloto (presiding), Flügge and Morrison, continued to function in an efficient manner, rendering 23 decisions during the reporting period on requests under rule 75 (G) and (H) for confidential information for use in national proceedings and under rule 75 bis for persons under the authority of the Tribunal to testify in national proceedings.

C. Principal activity of the Appeals Chamber

Interlocutory appeals

47. Thirteen decisions on interlocutory appeals were issued in the following cases: *Haradinaj et al.* (4); *Prlić et al.* (3); *Stanišić and Simatović* (2); *Gotovina et al.* (1); *Šešelj* (1); and *Stanišić and Župljanin* (2).

Contempt appeals

48. One contempt appeal Judgement was rendered in the *Hartmann* case.

Appeals on the merits

49. The Appeals Chamber did not render any final Judgements during the reporting period.

50. There are three appeals — *Šainović et al., Lukić and Lukić*, and *Popović et al.* — currently pending before the Appeals Chamber from previous reporting periods, and two new appeals from Judgements were filed before the Appeals Chamber in the *Đorđević* and *Gotovina and Markač* cases. Pre-appeal activity is ongoing in these cases.

51. A total of 75 pre-appeal decisions and orders were issued during the reporting period.

Review

52. The Appeals Chamber rendered a Judgement on review in the *Šljivančanin* case.

Other appeals

53. The Appeals Chamber rendered one decision in the *Borovčanin* case.

IV. Activity of the Office of the Prosecutor

A. Completion of trials and appeals

54. During the reporting period, significant advances were made in establishing accountability for the crimes committed during the wars in the former Yugoslavia. Foremost among them were the arrests of Ratko Mladić on 26 May 2011 and Goran Hadžić on 20 July 2011. Ratko Mladić had evaded for 16 years capture and transfer to The Hague. Goran Hadžić was a fugitive of justice for seven years. Both were the last fugitives remaining at large out of the 161 persons indicted by the Tribunal. The Prosecution expressed its commitment to moving ahead expeditiously with the trials.

55. During the reporting period, the Prosecution finalized a large component of its trial work. By the end of the period, the presentation of the Prosecution's case-in-chief had been completed in all but four cases (*Mladić*, *Karadžić*, *Tolimir*, and the *Haradinaj et al.* retrial). Three cases were in the defence phase of the proceedings (*Šešelj*, *(Jovica) Stanišić and Simatović*, and *(Mićo) Stanišić and Župljanin*), and two cases had concluded and were awaiting Judgement (*Prlić et al.* and *Perišić*). That progress was achieved notwithstanding problematic rates of staff attrition in the Office of the Prosecutor, which has left remaining staff to shoulder unsustainably heavy burdens. The Prosecutor expressed concern that staffing difficulties would likely escalate in the next reporting period given the absence of incentives for staff to remain.

56. The Office of the Prosecutor began shifting the focus of its attention and resources to the appeals phase of proceedings to ensure that it is effectively positioned to deal with the upcoming appellate caseload. By the end of the reporting period, there were five cases on appeal (*Šainović et al.*, *Lukić and Lukić*, *Popović et al.*, *Đorđević*, and *Gotovina and Markač*). The Appeals Division also absorbed work arising out of the *Haradinaj et al.* retrial and the *Rašić* contempt trial.

57. The multiple contempt proceedings ongoing before the Tribunal, particularly those concerning the *Šešelj* case, continued to generate a significant amount of additional work for the Office of the Prosecutor. Šešelj's lack of compliance with court orders required continuous monitoring to ensure the protection of witnesses, constituted a drain on the Tribunal's resources, and presented a challenge for the Tribunal's effective functioning.

58. The Office of the Prosecutor worked at full capacity to finalize the remaining trials and appeals. The Prosecution continuously re-evaluated its working methods to identify ways to further expedite the proceedings. A consistent methodology was applied across all cases for streamlining the presentation of evidence in court. That methodology focused on narrowing the issues in dispute with defence teams as much as possible and presenting evidence in written form. Efficient use was made of key evidence contained in the wartime notebooks and associated tapes of Ratko Mladić, which were located by the Serbian authorities in February 2010. The Office

of the Prosecutor established a task force to uniformly and expeditiously handle all issues related to the Mladić materials.

59. With the completion of trial activities, the Office of the Prosecutor abolished corresponding posts and proceeded with downsizing the Office. At the same time, preparations began for the transition of functions to the International Residual Mechanism for Criminal Tribunals in accordance with Security Council resolution 1966 (2010).

B. Cooperation

1. International cooperation

60. The Office of the Prosecutor continued to depend on the full cooperation of States to fulfil its mandate. The cooperation of the States of the former Yugoslavia remained especially vital in the areas of (a) access to archives, documents and witnesses; (b) the protection of witnesses; and (c) efforts to locate, arrest and transfer the remaining fugitive as well as taking measures against those who have supported fugitives from the Tribunal.

2. Cooperation of Serbia

61. With the arrest of Ratko Mladić on 26 May 2011 and his transfer to the Tribunal on 31 May 2011 and the arrest of Goran Hadžić on 20 July 2011 and his transfer on 22 July 2011, Serbia met a key obligation towards the Tribunal. The Office of the Prosecutor acknowledged the important work done by the Serbian authorities who brought about the arrests, particularly the National Security Council, the Action Team established to track the fugitives, and the operatives from the security services. With those arrests, the Prosecutor recognized Serbia's genuine commitment to cooperating with the Tribunal. He also encouraged Serbia to provide information on how the fugitives were able to evade justice for so long and help the public to understand why they must stand trial.

62. Prior to Mladić's arrest, the Prosecutor had strongly encouraged Serbia to critically reassess its failing strategy for apprehending the fugitives. He urged Serbia to address all operational shortcomings and to widen the scope of the investigation. Certain recommendations were implemented, which contributed to the arrests of Mladić and Hadžić.

63. The Government of Serbia was further asked to intensify action against individuals in the networks that have supported fugitives from the Tribunal, including Mladić and Hadžić. The Prosecutor welcomed Serbia's statement that it would investigate and prosecute the networks that supported Ratko Mladić during his time in hiding. On 10 May 2011, the War Crimes Department of Belgrade's High Court accepted guilty pleas from six people who helped Stojan Župljanin while he was a fugitive from the Tribunal. Aside from that, action taken against individuals accused of helping the fugitives yielded few results.

64. Concerning the Tribunal's ongoing cases, Serbia's responses to the requests of the Office of the Prosecutor for access to documents, archives and witnesses were generally timely and adequate. Serbia's National Council for Cooperation continued to improve cooperation among different government bodies handling requests from the Office of the Prosecutor. The Council facilitated Prosecution requests to

reclassify Supreme Defence Council documents in the *Perišić* case as public documents. As a result, in March 2011, the Prosecutor informed the *Perišić* Trial Chamber that the Supreme Defence Council documents could be made public. The Office of the Prosecutor will continue to seek the assistance of Serbia in providing access to government documents and archives and facilitating the access of witnesses during trials and appeals.

3. Cooperation of Croatia

65. During the reporting period, Croatia was generally responsive to requests made by the Office of the Prosecutor. However, the Office's long-standing request for important military documents relating to Operation Storm — requested for the *Gotovina et al.* case — remained outstanding. The inter-agency task force established in October 2009 to locate or account for the missing documents continued its administrative investigation. During the reporting period, the Prosecutor asked Croatia to address a number of inconsistencies and questions in connection with the Task Force's findings, which remained unresolved.

66. On 15 April 2011, the Trial Chamber rendered its Judgement in *Gotovina et al.* and found Gotovina and Markač guilty of crimes based on the evidence submitted at trial. The Prosecutor expressed disappointment that, in the aftermath of the Judgement, the highest State officials had failed to comment objectively on the outcome of the case.

4. Cooperation of Bosnia and Herzegovina

67. During the reporting period, the authorities of Bosnia and Herzegovina responded promptly and adequately to requests for documents as well as access to archives and witnesses.

68. The authorities of Bosnia and Herzegovina were asked to step up efforts against fugitive networks.

69. Throughout the reporting period, the Office of the Prosecutor continued to support the work of the State Prosecutor and the Special Department for War Crimes in processing cases and investigative files transferred by the Tribunal. However, structural difficulties impeded the implementation of the National War Crimes Strategy. Political initiatives in Bosnia and Herzegovina that sought to undermine the work of the State Prosecutor's Office and the State War Crimes Court were of deep concern.

5. Cooperation between States of the former Yugoslavia in judicial matters

70. Cooperation in judicial matters between the States of the former Yugoslavia remained critical to completing the Tribunal's mandate. Judicial institutions in the former Yugoslavia continued to face challenges in coordinating their activities, which in turn imperilled the rule of law and reconciliation in the region. There were some improvements in war crimes information and evidence-sharing between prosecutors in Bosnia and Herzegovina, Croatia and Serbia. However, legal barriers to the extradition of suspects and the transfer of evidence across State borders, as well as parallel investigations, continued to obstruct effective proceedings. While regional prosecutors expressed a commitment to addressing the problem of parallel

investigations, the Prosecutor called for urgent action at the political and operational levels as well.

6. Cooperation of other States and organizations

71. The Office of the Prosecutor continued to rely on States and international organizations to provide documents, information and witnesses for trials and appeals.

72. The Office of the Prosecutor expressed appreciation for the support of States as well as international and regional organizations, such as the Organization for Security and Cooperation in Europe, the Council of Europe and the European Union. The arrest of Ratko Mladić underscored the potential of conditionality policies to promote positive outcomes for international justice. The support of non-governmental organizations, including those active in the former Yugoslavia, continued to facilitate the work of the Office.

C. Transfer of cases and investigative files

73. All cases transferred from the Tribunal to Bosnia and Herzegovina and Croatia pursuant to rule 11 bis have been finalized. The Judgement in the last of these cases — against Milorad Trbić, who was convicted of genocide and sentenced to 30 years' imprisonment — was confirmed on appeal on 14 January 2011.

74. The *Kovačević* case, which was transferred from the Tribunal to Serbia, remained suspended owing to the ill health of the accused. There was no indication of when, or if, the accused would be fit to stand trial. The Office of the Prosecutor continued to monitor the situation.

75. The fact that convicted war criminal Radovan Stanković (transferred from the Tribunal to Bosnia and Herzegovina pursuant to rule 11 bis) remains at large almost four years after he escaped from prison in Foča was identified as a serious concern. The Prosecutor encouraged the authorities of Bosnia and Herzegovina, as well as neighbouring States, particularly Serbia, to take all necessary steps to capture Stanković and to sanction those who facilitated his escape.

D. Supporting national prosecutions

76. The Office of the Prosecutor continued to work actively on strengthening the capacity of national authorities to handle the remaining war crimes cases effectively. To that end, the Office engaged in ongoing dialogue with its counterparts throughout the former Yugoslavia. It also supported training, the development of best practices, and information exchanges.

77. During the reporting period, the Office of the Prosecutor continued to support national prosecutions by facilitating access to investigative material and evidence from Tribunal case files as well as its database in The Hague. In addition, the "liaison prosecutors" project funded by the European Union was a key mechanism for strengthening working relationships between the State Prosecutor's Offices in Bosnia and Herzegovina and Croatia and the War Crimes Prosecutor's Office in Serbia.

V. Activity of the Registry

78. During the reporting period, the Registry continued to discharge its statutory responsibilities by providing operational support to the Chambers and the Office of the Prosecutor, assisting the defence, and providing diplomatic and administrative support for the Tribunal.

A. Office of the Registrar

79. The Immediate Office of the Registrar assisted the Registrar and the Deputy Registrar in formulating the strategic direction for the Judicial Support Services and the Division of Administration, and in coordinating and supervising their work. It supported the Registrar in his role as focal point for diplomatic relations, and maintained contact with embassies, Member States, the United Nations and other international organizations. That included relations with the host State. The Office also negotiated agreements for the enforcement of the Tribunal's sentences with States, thereby ensuring that persons convicted by the Tribunal were transferred to serve their sentences. Focused efforts were made to raise the awareness of Member States regarding the current lack of sufficient enforcement capacity and the ensuing risk to a successful completion of the Tribunal's mandate.

80. Following the adoption of Security Council resolution 1966 (2010), in which the Council established the International Residual Mechanism for Criminal Tribunals, the Immediate Office of the Registrar has been heavily involved in the practical arrangements necessary for the commencement of the Mechanism's operations. Under the direction of the Office of Legal Affairs, the two International Tribunals worked jointly to develop a budget proposal for the biennium 2012-2013, a proposal for an information security and access regime for the archives of the Tribunals and the Mechanism, and the Rules of Procedure and Evidence for the Mechanism. The next steps will focus on harmonizing the policies, procedures and operations of the two Tribunals in order to ensure that the Mechanism is able to commence its work on 1 July 2012.

81. The Tribunal's Communications Service managed major media events, such as the arrest of Ratko Mladić, which brought about increased interest from the media, victims, diplomatic community, academics and the general public.

82. Outreach and communication with audiences in the former Yugoslavia is one of the Registry's strategic priorities for the current biennium. Since the end of 2010, the outreach programme has been implementing a new strategy that focuses on promoting the Tribunal's achievements and its positive legacy through a wide range of events. In the past year, the programme has coordinated more than 20 visits from the region, including more than 400 visitors and 230 international group visits (comprising more than 5,700 visitors), and has participated in and organized 35 conferences and events across the region. The focus on engaging young people continued with a round of presentations in 13 Kosovo high schools involving more than 680 students. The outreach programme produced and distributed a publication entitled "Assessing the Legacy of the ICTY" in languages of the region. The programme furthermore expanded its reach to the region and international audiences through the Tribunal's official accounts on YouTube and Twitter. The popularity of these sites has been confirmed with over 2,000 followers on Twitter and over 300,000 views on YouTube, of which almost half come from the region. The

Tribunal depends upon external funding in order to implement its outreach programme. A munificent contribution from the European Commission for the next biennium has ensured the continued existence of the outreach programme, and Finland has already generously supported youth education projects. The Tribunal also notes the generous support and cooperation of the Mission to Serbia of the Organization for Security and Cooperation in Europe. Pursuant to General Assembly resolution 65/253, adopted on 24 December 2010, in which the Assembly reiterated the importance of carrying out an effective outreach programme and encouraged the Secretary-General to continue to explore measures to raise adequate voluntary resources, the Tribunal will be approaching Member States and other donors in the coming months for more support.

83. The Tribunal's website continued to be a key strategic communications tool. The month of May 2011 was a record breaker for the Tribunal's website — with 400,000 page views, the site's highest ever monthly total since its launch in 2008. The internal communication portal Tribunet was further developed as a reference platform on all issues related to the completion strategy and staff downsizing.

B. Judicial support services sections

84. In the reporting period, the Court Management and Support Services Section supported 10 cases at trial (including the *Haradinaj et al.* retrial and the *Mladić* and *Hadžić* cases, which are currently in the pre-trial phase), five cases on appeal, and four contempt cases. It provided Court Officer support for seven videoconference links, nine rule 92 bis missions, and three site visits. The Section also provided support through its Pro Se Legal Liaison Officers for three self-representing accused, facilitating solutions to issues arising in the course of the proceedings. The Court Records Assistants, Court Officers and Court Ushers processed 6,922 filings (approximately 92,000 pages) submitted by parties and others in proceedings before the Tribunal.

85. The Conference and Language Services Section continued to provide interpretation, translation, and court reporting services for all the organs of the Tribunal. The Translation Units translated approximately 66,000 pages into English, French, Bosnian/Croatian/Serbian, Albanian and Macedonian. The Interpretation Unit registered approximately 4,500 conference interpreter days. The Court Reporting Services produced over 88,000 pages of transcript. Interpretation services were also provided for official meetings, witness proofing sessions, and missions away from the seat of the Tribunal, including in the region.

86. The Victims and Witnesses Section consists of three main units. The Section's Operations and Support Units assisted 494 witnesses, and accompanying support persons, travelling to The Hague to give evidence. The Protection Unit coordinated professional responses to an increased number of threats to witnesses before, during and after their appearances to give evidence in Tribunal proceedings. Under appropriate circumstances, the Protection Unit worked to relocate protected witnesses.

87. The Office for Legal Aid and Detention Matters continued to manage the legal aid system of the Tribunal in serving over 470 defence team members, thereby ensuring that the accused's right to counsel was respected. The majority of accused who are in the Tribunal's custody receive legal aid. The Office managed facilities granted to defence team members of all cases tried at the Tribunal; of those cases,

60 per cent were of the highest complexity level. The Office continued to ensure the rights of the accused by responding to complaints and concerns of detainees held at the United Nations Detention Unit, processing visits to the Unit and acting as a liaison between defence counsel and the Tribunal. The Office provided facilities to self-represented accused in cooperation with the *Pro Se* Legal Liaison Office and the United Nations Detention Unit and managed the assignment of amicus curiae investigators and prosecutors and the resources provided thereto.

88. The United Nations Detention Unit continued to provide security and care to the 37 detainees under the authority of the Tribunal. Many of the detainees required medical care, including specialist medical care. The Unit facilitated the detainees' presence at court hearings, whether in person or through videoconference link. It facilitated a large number of requests for provisional releases of various durations, as ordered by the Chambers. It facilitated the right of accused persons to self-represent by providing extra storage and office space to self-representing accused, granting computer and database access suited to a detention environment, and allowing for witness interviews and proofing in exceptional circumstances. The Unit accommodated detained witnesses and detainees charged with contempt of the Tribunal, and it facilitated contact between detainees and the media, where appropriate.

C. Division of Administration

89. By resolution 65/253, the General Assembly, having considered the reports of the Secretary-General and the Advisory Committee on Administrative and Budgetary Questions on the revised estimates under the budget for the biennium 2010-2011, decided to appropriate to the Special Account for the Tribunal a total amount of $320,511,800 gross ($290,087,500 net) for the biennium 2010-2011.

90. During the biennium 2010-2011, extrabudgetary resources are estimated at $3,319,900 to be utilized for a variety of Tribunal activities. As of 15 June 2011, cash donations of approximately $48.9 million had been received for the Voluntary Fund to support the activities of the Tribunal. For the period from 15 June 2010 to 15 June 2011, the Tribunal received and administered $2,393,376 in voluntary cash contributions.

91. The Division of Administration remained actively engaged in the implementation of the downsizing and comparative review process, which was formulated in consultation with staff representatives. During the biennium 2010-2011, the Tribunal downsized 170 posts. The Division of Administration is currently working closely with staff representatives in the implementation of the second comparative review exercise.

92. The Division of Administration coordinated the preparation of the revised estimates for the biennium 2010-2011 and the proposed budget for the biennium 2012-2013. The Division was heavily involved in the formulation of the first budget of the International Residual Mechanism for Criminal Tribunals. Following the closure of one of the three office buildings in The Hague, the Division of Administration finalized an office space allocation master plan in order to ensure the smooth relocation of personnel and archives to the remaining two buildings of the Tribunal.

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Advancement of women: implementation of the outcome of the Fourth World Conference on Women and of the twenty-third special session of the General Assembly

Measures taken and progress achieved in follow-up to the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session of the General Assembly

Report of the Secretary-General

Summary

The present report, submitted pursuant to General Assembly resolution 65/191, provides a review of the follow-up to and implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session. It focuses on selected intergovernmental processes of the United Nations and assesses the extent to which they integrate a gender perspective in their work. The report concludes with recommendations for further measures to enhance the implementation of gender equality mandates.

* A/66/150.

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I. Introduction

1. The present report responds to General Assembly resolution 65/191, in which the Assembly requested the Secretary-General to continue to report annually to it on the follow-up to and progress made in the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session, with an assessment of progress in gender mainstreaming, including information on key achievements, lessons learned and good practices, and recommendations on further measures to enhance implementation. The report also responds to the request of the Economic and Social Council, in resolution 2006/9, that the Secretary-General include in the report an assessment of the impact of the input of the Commission on the Status of Women to discussions within the United Nations system.

2. The report focuses on selected intergovernmental processes of the United Nations, and assesses the extent to which they integrate a gender perspective.[1] The report is divided into seven sections. Following the introduction, section II discusses the rationale for integrating a gender perspective in intergovernmental work. Section III outlines the methodology used in the report. Section IV presents the findings of the analysis on the extent to which a gender perspective has been reflected in reports of the Secretary-General to the General Assembly, the Economic and Social Council and its functional commissions. The section also assesses the extent to which gender perspectives have been mainstreamed in the resolutions adopted by these bodies. Section V examines the attention given to gender equality issues in the preparations for, and when applicable, the outcomes of three high-level intergovernmental events: the 2011 Fourth United Nations Conference on the Least Developed Countries, the 2012 United Nations Conference on Sustainable Development, and the 2013 review and appraisal of the Madrid International Plan of Action on Ageing. Section VI specifically addresses the contributions of the Commission on the Status of Women and section VII provides a summary and conclusion of the report and outlines recommendations for further action.

II. Rationale for mainstreaming a gender perspective in intergovernmental processes

3. The General Assembly has repeatedly affirmed the role of the intergovernmental process of the United Nations in promoting gender equality and the empowerment of women. In its resolution 65/191, the Assembly reaffirmed that gender mainstreaming was a globally accepted strategy for promoting the empowerment of women and achieving gender equality by transforming structures of inequality. It also reaffirmed the commitment to actively promote the mainstreaming of a gender perspective into the design, implementation, monitoring and evaluation of policies and programmes in all political, economic and social spheres, as well as the commitment to strengthen the capabilities of the United Nations system in the area of gender equality. In paragraph 15 of the resolution, the

[1] The present report complements the annual report to the Economic and Social Council on mainstreaming a gender perspective into all policies and programmes of the United Nations system (E/2011/114), and the annual report to the Commission on the Status of Women focused on actions of Member States for gender mainstreaming at the national level (see E/CN.6/2011/5).

Assembly called upon all bodies of the United Nations to fully mainstream a gender perspective into all issues under their consideration and within their mandates, as well as in all United Nations summits, conferences and special sessions and in their follow-up processes, including the Fourth United Nations Conference on the Least Developed Countries in 2011, the United Nations Conference on Sustainable Development in 2012 and the review and appraisal of the Madrid International Plan of Action on Ageing, 2002, at the fifty-first session of the Commission for Social Development, in 2013.

4. Of particular relevance to the focus of the present report is paragraph 18 of resolution 65/191, in which the Assembly requested that reports of the Secretary-General submitted to the General Assembly and the Economic and Social Council and their subsidiary bodies systematically address gender perspectives through qualitative gender analysis, sex- and age-disaggregated data and, where available, quantitative data, in particular through concrete conclusions and recommendations for further action on gender equality and the empowerment of women, in order to facilitate gender-sensitive policy development.

5. The United Nations intergovernmental process is complex. Intergovernmental bodies differ in their mandates, and they receive and examine a diverse set of written inputs, including reports of the Secretary-General, Member States, other intergovernmental bodies, special envoys and rapporteurs, among others. Reports vary widely in form, content and coverage. They may integrate submissions from several contributors — typically Member States and United Nations entities — but also intergovernmental, regional, or non-governmental organizations. Reports feed into the discussions of Member States, which may be conducted through general debates, panel discussions and other events. Intergovernmental meetings allow policymakers to exchange information on progress, challenges and good practices, and help to heighten Governments' commitment to empowering women. Intergovernmental work often, but not always, results in outcome documents such as declarations, resolutions and decisions, or in the case of the Security Council, presidential statements. Outcome documents often provide recommendations for action on an issue. These could be policy guidance for Member States and other stakeholders, or additional mandates to continue to examine and analyse a situation, or to convene further meetings or a high-level event on the issues at stake. Inputs, events and outputs of the intergovernmental process all thus present opportunities to mainstream a gender perspective into all issues under the consideration of respective intergovernmental bodies, in accordance with General Assembly resolution 65/191.

III. Methodology of the present report

6. Through a content analysis, the present report reviews a number of inputs, events and outputs of the intergovernmental process for evidence of the incorporation of a gender perspective, as determined by the presence of the words: gender, sex, woman, man, girl, boy, female, male, sexual, reproductive and maternal (including their plural forms). Documents with at least one occurrence of a keyword were considered to have included a gender perspective. False positive results, for instance "man-made disaster", were discounted.

7. While the list of words selected excludes others that could be argued to reflect a gender perspective, the selected words are those most often found in reports and

documents that address gender equality issues. To ensure that the assessment of the inclusion of a gender perspective went beyond the mere mention of these keywords, documents that passed this first filter were analysed in more depth to assess the extent to which a gender perspective was indeed reflected.

8. All reports of the Secretary-General for, and resolutions of, the sixty-fifth session of the General Assembly and the 2010 sessions of the Economic and Social Council and its functional commissions were examined. The three events cited in General Assembly resolution 65/191 — the 2011 Fourth United Nations Conference on the Least Developed Countries, the 2012 United Nations Conference on Sustainable Development, and the 2013 review and appraisal of the Madrid International Plan of Action on Ageing, 2002 — were also examined. Particular attention was paid to the analysis of preparatory documentation, and when applicable, outcomes. Documents available in the United Nations Official Document System as at 15 June 2011 were examined. Resolutions and reports of the Secretary-General were considered even if they belonged to an agenda item or sub-item which focused specifically on gender equality issues. Where documents were submitted to more than one intergovernmental body, each occurrence was counted since the consideration by each intergovernmental body was considered as an additional opportunity for mainstreaming gender equality issues in the intergovernmental process.

IV. Findings

A. Overview

9. Based on the number of resolutions and Secretary-General's reports before the General Assembly, the Economic and Social Council and functional commissions, there were multiple opportunities for the incorporation of gender perspectives into the work of these intergovernmental bodies. The Assembly alone received and reviewed 244 reports of the Secretary-General and adopted 270 resolutions. The Council at its 2010 session received and reviewed 20 reports of the Secretary-General and adopted 38 resolutions. A partial list of the reports and resolutions of the functional commissions suggests there were at least 38 reports and 38 resolutions.[2] While a number of these opportunities were clearly used, as demonstrated in the findings of the present report, many remained as untapped potential to catalyse the full implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session by promoting gender mainstreaming in the work of the United Nations system.

1. General Assembly

(a) Resolutions

10. The analysis of resolutions of the sixty-fifth session of the General Assembly revealed a gender perspective in nearly a third of all resolutions. Table 1 sets out the distribution of resolutions of, and Secretary-General's reports to, the Assembly that include a gender perspective, by Main Committee. The Third Committee, which

[2] The Commission on the Status of Women (owing to its exclusive focus on gender issues) and the United Nations Forum on Forests (which did not have a session in 2010) are excluded.

focuses on social, humanitarian and cultural issues, was the most likely to integrate a gender dimension in its resolutions. The Second Committee, responsible for economic and financial matters, as well as the General Assembly meeting in plenary, also reflected gender perspectives, with over a third of their respective resolutions likely to integrate such a concern. A gender perspective was found in every fifth resolution of the Fourth Committee, which examines special political and decolonization issues.

11. The Fifth Committee, responsible for administrative and budgetary matters, and particularly the First and Sixth Committees, which respectively handle disarmament and international security and legal questions, seldom adopted resolutions that integrated references to gender equality issues. Despite this, it is noteworthy that the First Committee adopted a draft resolution on "Women, disarmament, non-proliferation and arms control", the first it ever adopted on this topic (see General Assembly resolution 65/69).

Table 1
Number and percentage distribution of resolutions of, and Secretary-General's reports to, the General Assembly that include a gender perspective, by Main Committee

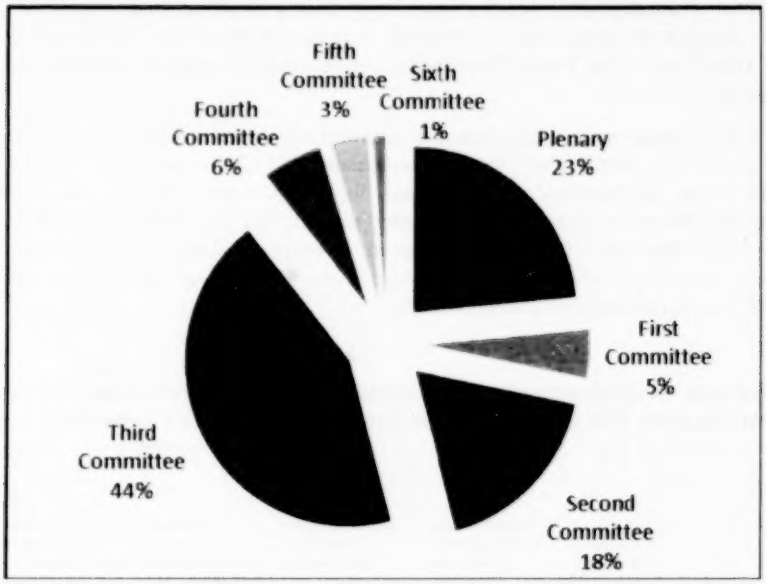
	Number of resolutions	*Number of resolutions that include a gender perspective*	*Proportion of resolutions that include a gender perspective (percentage)*	*Number of reports of the Secretary-General*	*Number of reports of the Secretary-General that include a gender perspective*	*Proportion of reports of the Secretary-General that include a gender perspective (percentage)*
General Assembly	**270**	**85**	**31**	**244**	**146**	**60**
Plenary	55	20	36	46	36	78
First Committee	55	4	7	28	11	39
Second Committee	39	15	38	25	15	60
Third Committee	55	37	67	48	36	75
Fourth Committee	25	5	20	24	13	54
Fifth Committee	24	3	13	87	44	51
Sixth Committee	17	1	6	16	6	38

Note: Out of the 244 reports of the Secretary-General submitted to the General Assembly, some were considered under more than one agenda item, and some agenda items were allocated to more than one committee. The breakdown by committee thus does not match the total number of Secretary-General's reports submitted to the Assembly.

12. Figure I indicates how all General Assembly resolutions that have a gender perspective are distributed across the Main Committees. Although the Third Committee was responsible for only 20 per cent of all resolutions of the General Assembly, it accounted for nearly half of all resolutions of the Assembly that reflected gender perspectives. The Third Committee thus compensated for the much lower likelihood of other committees (First, Fourth, Fifth and Sixth) to adopt a draft resolution that reflects a gender perspective. The breakdown by committee is consistent with findings from past years and shows that despite repeated calls by the General Assembly for a gender perspective to be mainstreamed into all issues, gender equality issues continue to be little reflected in resolutions dealing with other issues than social and economic matters.

Figure I

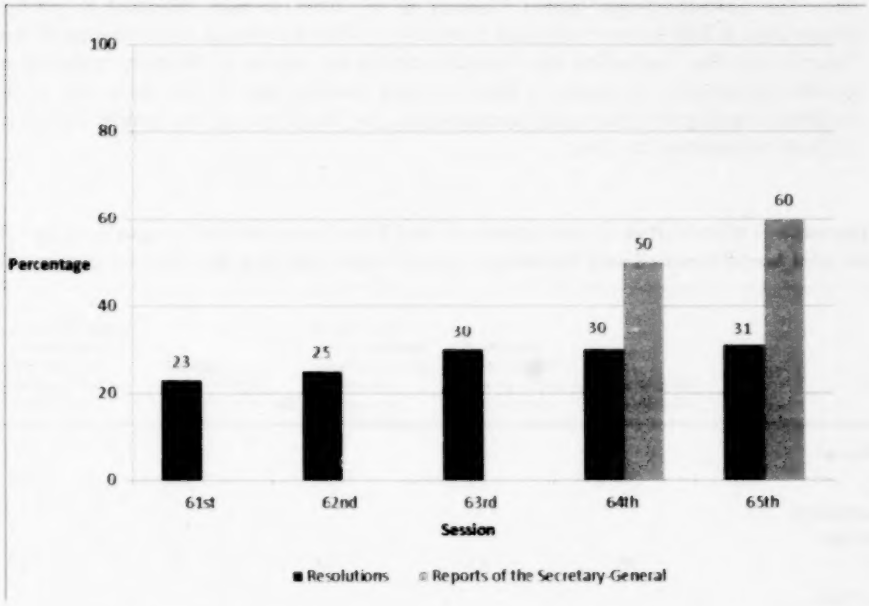
Distribution of all General Assembly resolutions which reflect a gender perspective, by Main Committee in which the resolution was adopted



13. With respect to trends, compared to previous years,[3] there has been little growth in the overall share of General Assembly resolutions that integrate a gender perspective (see figure II). This share has remained fairly low across sessions of the General Assembly, although there is a slight upward trend.

[3] These earlier findings are based on the analysis carried out for previous reports of the Secretary-General: A/62/178, A/63/217, A/64/218 and A/65/204. It must be noted that results up to the sixty-third session of the General Assembly are not fully comparable, as the content analysis relied on a smaller list of words (gender, sex, woman, girl, female and sexual).

Figure II
Trends in percentage of General Assembly documents that include a gender perspective



(b) Reports of the Secretary-General

14. A gender perspective was more likely to be found in reports of the Secretary-General than in resolutions. Sixty per cent of reports included a gender perspective. However, there were variations between the Main Committees that match the variations found for resolutions. Reports submitted to the General Assembly meeting in plenary and to the Second and Third Committees were most likely to include a gender perspective, while reports submitted to the First and Sixth Committees were least likely to do so.

15. With respect to trends, between the sixty-fifth and the sixty-sixth sessions, there was a 10 percentage point increase in the number of reports of the Secretary-General that included a gender perspective (see figure II). The concentration of high-profile events related to gender equality and the empowerment of women which took place in 2010 may account for this. These include the 15-year review of the implementation of the Beijing Platform for Action held during the fifty-fourth session of the Commission on the Status of Women, the annual ministerial review of the Economic and Social Council on implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women, the High-level Plenary Meeting of the General Assembly on the Millennium Development Goals and the tenth anniversary of Security Council resolution 1325 (2000) on women, peace and security. Further, the General Assembly's discussion of proposals on a new gender equality entity and the eventual adoption of resolution 64/289 on 2 July 2010 helped to create a momentum for the inclusion of a gender perspective in the work of intergovernmental bodies.

2. Economic and Social Council and its functional commissions

(a) Resolutions

16. The Economic and Social Council at its 2010 session reflected a gender perspective in half of its resolutions (see table 2). The functional commissions of the Council together, excluding the Commission on the Status of Women, reflected a gender perspective in nearly a third of their resolutions. While there are wide variations among the functional commissions, the small size of the sample makes it difficult to interpret the data.

Table 2
Number and percentage distribution of resolutions of, and Secretary-General's reports to, the 2010 session of the Economic and Social Council and functional commissions that include a gender perspective

	Number of resolutions	*Number of resolutions that include a gender perspective*	*Proportion of resolutions that include a gender perspective (percentage)*	*Number of reports of the Secretary-General*	*Number of reports of the Secretary-General that include a gender perspective*	*Proportion of reports of the Secretary-General that include a gender perspective (percentage)*
Economic and Social Council	**38**	**19**	**50**	**20**	**17**	**85**
Functional commissions of the Economic and Social Council[a]	**38**	**12**	**32**	**38**	**24**	**63**
Commission on Crime Prevention and Criminal Justice	13	4	31	6	4	67
Commission on Narcotic Drugs[b]	17	1	6	3	1	33
Commission on Population and Development	1	1	100	4	4	100
Commission on Science and Technology for Development	2	2	100	4	4	100
Commission for Social Development	5	4	80	4	4	100
Commission on Sustainable Development	0	—	—	9	6	67
Statistical Commission	0	—	—	8	1	13

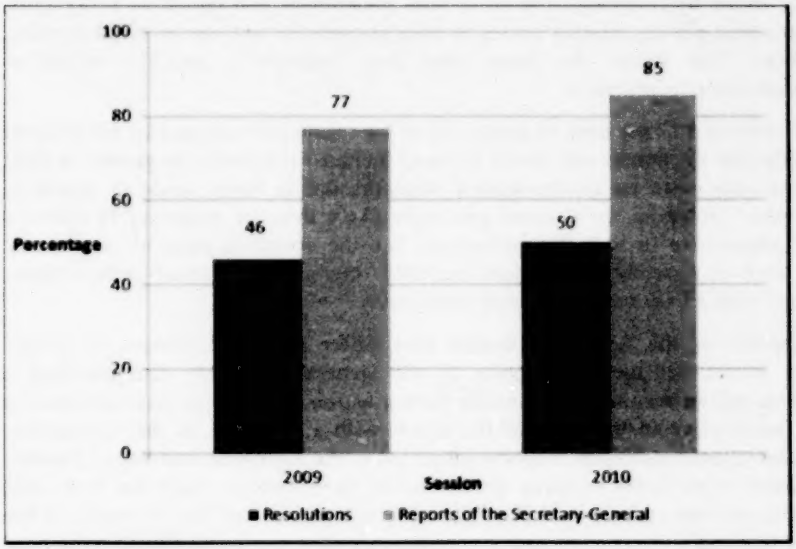
[a] These results do not include the Commission on the Status of Women, owing to its exclusive focus on gender issues, or the United Nations Forum on Forests, which did not have a session in 2010.

[b] The Commission on Narcotics Drugs considers reports of the Secretariat, which were analysed in lieu of reports of the Secretary-General.

17. With respect to trends (see figure III), a comparison of the 2010 with the 2009 session of the Economic and Social Council (see A/65/204) reveals only a 4 per cent increase in the share of resolutions that included a gender perspective. This minimal increase is similar to the trend identified for General Assembly resolutions. A similar comparison could not be carried out for the functional commissions owing to the lack of comparable data for 2009.

Figure III

Percentage of Economic and Social Council documents that include a gender perspective (2009 and 2010 sessions)



(b) Reports of the Secretary-General

18. Similar to findings for the General Assembly, reports of the Secretary-General submitted to the Economic and Social Council and its functional commissions were more likely than resolutions to include a gender perspective. Most (85 per cent) reports of the Secretary-General submitted to the Council, and close to two thirds (63 per cent) of reports to the functional commissions, included a gender perspective.

19. There is a trend towards an increased reflection of a gender perspective in reports of the Secretary-General that were submitted to the Economic and Social Council with an eight percentage point increase over the year. This finding is consistent with the trend identified for reports of the Secretary-General submitted to the General Assembly. Limited data did not permit an analysis of trends for the functional commissions.

B. In-depth analysis

20. While reports and resolutions may reflect a gender perspective as defined for the present report, they often vary greatly in the level of attention they give to gender equality issues. Focusing on the reports and resolutions that did include a gender perspective, the present section examines the placement of references within documents, and then considers the qualitative strength of the language in those references.

1. Placement

21. The placement of references to gender issues within intergovernmental documents determines their prominence and the likelihood of follow-up actions.

Reports of the Secretary-General draw more attention to gender equality issues when they mention them not only in the body of the report, but also in the conclusion and the recommendations. Resolutions give more emphasis to gender equality issues by referring to them in both preambular and operative paragraphs. By addressing gender equality issues in both preambular and operative paragraphs, resolutions first frame the issue, and then indicate a specific action or recommendation to address it.

22. Twenty and 17 per cent, respectively, of the resolutions adopted by the General Assembly and Economic and Social Council included references to gender in their preamble only, with no gender-related recommendation being made in operative paragraphs.[4] However, the Council was more likely than the Assembly to reflect a gender perspective in both the preambular and the operative parts of resolutions: 45 per cent of Assembly resolutions included references to gender in both parts, compared with 61 per cent of Council resolutions.

23. Reports of the Secretary-General also differ in the placement of gender equality issues. Of the 123 reports to the General Assembly that included a conclusion and/or recommendations for further action, only 28 per cent combined a gender perspective in the body of the report with a reference in the conclusions and/or the recommendations. Reports submitted to the Economic and Social Council were much more likely to have gender issues mentioned in both the body and conclusion/recommendations of the report: 64 per cent, or 9 of the 14 reports to the Council that had a conclusion and/or recommendations section, included references in the body and in one or both of these parts.

2. Qualitative assessment

24. Although gender equality issues may be incorporated in key sections of a report or resolution, their impact depends on the strength of the language used in the reference. In an attempt to capture this dimension, intergovernmental documents were reviewed against qualitative variables. Reports of the Secretary-General were assessed qualitatively against two variables: "coverage" of gender equality issues, and the "quality" of the gender discussion. The analysis was carried out on General Assembly documents only, because there was an adequate number to support the analysis.

25. With respect to coverage, reports that included a specific section on gender equality issues as well as several references throughout the rest of the report were considered to have high coverage. A single reference or a few short references were defined as low coverage. Medium coverage fell somewhere in between.

26. The quality analysis of reports characterized cursory references such as "including women" as low quality, while reports that provided precise facts, including sex-disaggregated quantitative data, and/or gender analysis ranged from medium to high quality. For instance, the following excerpt from a report was considered high quality, as it analyses the impact of an event on women and men, taking into account their different circumstances: "It is likely that females represented the greatest share of casualties, as many women were at home when the

[4] The findings on preambular and operative paragraphs pertain to 82 resolutions of the Assembly and 18 resolutions of the Council, as the analysis did not apply to resolutions in which a declaration or an outcome document from a high-level event was adopted or endorsed.

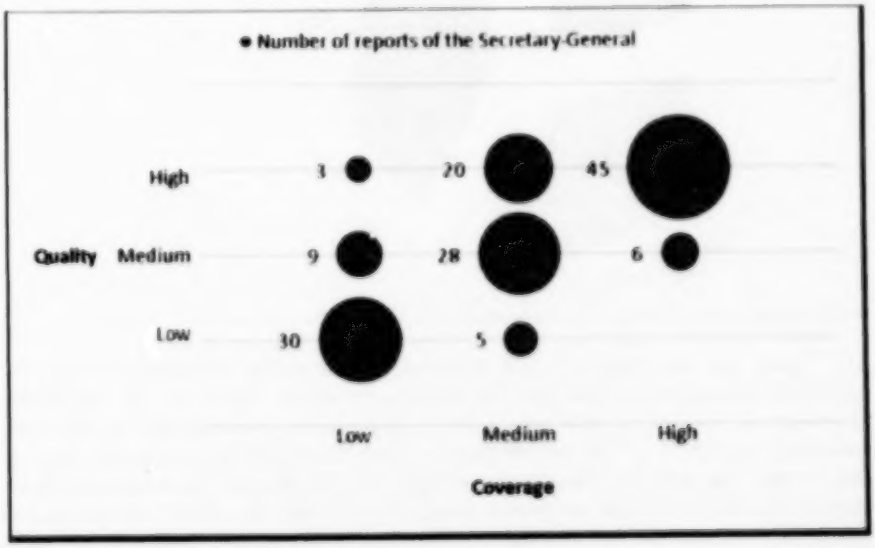
earthquake struck, whereas men were at work and children were on their way home from school" (A/65/335, para. 4). Another example considered to be of high quality is as follows: "Monthly meetings of the Special Representative of the Secretary-General with national leaders of political parties, quarterly meetings with female political party representatives and civil society organizations including women's organizations" (A/65/746, following para. 29).

27. Resolutions, which tend to be shorter than reports, were analysed against one variable only, and categorized as having a low, medium or high focus on gender equality issues. A resolution considered to have a high focus on gender equality issues was identified by the occurrence of a keyword in more than one paragraph and/or with specific language on the situation and needs of women and girls. Resolutions that included a single, superficial reference were considered to reflect a low focus.

(a) Reports of the Secretary-General

28. Figure IV sets out the distribution of reports of the Secretary-General to the General Assembly across the two variables, coverage and quality. Thirty per cent of reports (45 out of 146) were of both high coverage and quality, while 21 per cent were of both low coverage and quality. While the reports varied widely both in the coverage of gender equality issues and in the characteristics of these inclusions, there tended to be a general correlation between coverage and quality. Overall, reports were more likely than not to have medium or high coverage of gender equality issues; 49 per cent of reports were rated as high/high or medium/high, compared with the 30 per cent of reports considered as low/low or medium/low.

Figure IV
Coverage and quality of gender references in reports of the Secretary-General to the General Assembly, by frequency

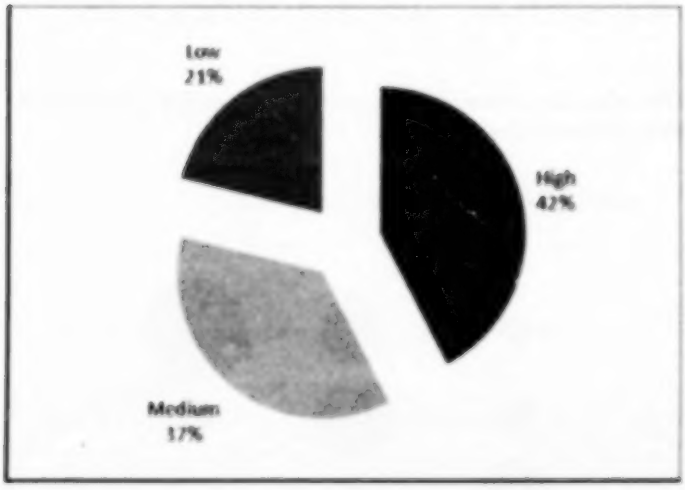


29. Further review showed that about 40 per cent of reports included sex-disaggregated quantitative data. The level of precision of the data provided, however, varied. Some reports provided absolute numbers (for example, the number of female political representatives without specifying the total number of representatives) while others presented relative data (for example, the share of women who benefited from a programme). In some cases, reports drew attention to the fact that quantitative data were not available. For example, the report entitled "Composition of the Secretariat: gratis personnel, retirees and consultants" (A/65/350/Add.1), which provides extensive data disaggregated by sex and other variables, scrupulously indicates when, for which office and for how many persons sex-disaggregated data are missing.

(b) Resolutions

30. While only a third of General Assembly resolutions included a gender perspective, the 85 resolutions that did tended to do so in a fairly clear manner. Nearly 80 per cent of those resolutions integrated a high or medium focus on gender equality issues (see figure V). This means that the keywords indicating a gender perspective were found in more than one paragraph and/or there was specific language on the situation and needs of women and girls.

Figure V
Extent of focus on gender equality issues in General Assembly resolutions that include a gender perspective



31. Many of the medium- and high-focus resolutions included paragraphs expressing recognition of the specific situation of women and girls and containing proposals for actions to take into account their needs. For example, in General Assembly resolution 65/220 on the right to food, the Assembly expressed concern that women and girls are disproportionately affected by hunger, food insecurity and poverty, in part as a result of gender inequality and discrimination, and called for measures to ensure the full and equal realization of the right to food and ensuring that women have equal access to resources, including income, land and water and

their ownership, as well as full and equal access to education, science and technology, to enable them to feed themselves and their families.

32. Notwithstanding the progress made in mainstreaming a gender perspective in reports of the Secretary-General and resolutions of the General Assembly and the Economic and Social Council and functional commissions, many reports continue to address development challenges within communities in a gender-neutral way. For example, a large number of references to forms of violence, in particular sexual exploitation and abuse, and trafficking in persons, omitted to specify the sex of the victims and of the perpetrators. Gender-neutral terms such as "persons", "children", or "humanitarian and peacekeeping personnel" were generally used, obliterating sex-related patterns and hiding possible changes over time. Knowing which groups are affected, and in which proportion, is key for intergovernmental bodies to devise appropriate policy responses.

33. Few of the reports and resolutions integrating a gender perspective included references to men and boys. Integrating a gender perspective means assessing the situation and needs of women and men, and girls and boys, as well as the implications of planned action on each of these groups.[5] Ensuring that gender-sensitive analysis not only focuses on women, but also considers issues from a male perspective, can help to broaden support for a gender-based approach.

34. The frequent absence of an age dimension is also worth noting. Resolutions and reports typically referred to women or to children, but rarely had more specific references to ages or age groups; specific reference to girls was often not made. Girls face particular forms of discrimination, and their identification in reports, when applicable, would help to sharpen policy intervention. Similarly documents that referred to youth rarely broke the term down by sex or age, rendering effective policymaking on the issues addressed difficult.

35. While the approach to the qualitative assessments used in the present section undoubtedly has limitations, these findings constitute an important step in understanding progress in incorporating a gender perspective in the work of intergovernmental bodies and the United Nations, as a whole.

V. United Nations high-level intergovernmental events as opportunities for mainstreaming a gender perspective

36. Apart from the resolutions and Secretary-General's reports which are products of the regular sessions of intergovernmental bodies, the United Nations also holds a number of high-level events each year. These events — summits, conferences and special sessions, as well as their follow-up processes — provide important opportunities to promote gender equality and the empowerment of women. Their preparation offers many prospects for highlighting gender equality issues, and the events can be occasions for Governments to make visible commitments to women's empowerment, or in the case of follow-up processes, to renew earlier commitments.

37. The present section examines these opportunities in light of the three high-level events cited in General Assembly resolution 65/191: the Fourth United Nations

[5] This understanding is based on the agreed conclusion 1997/2 of the Economic and Social Council on gender mainstreaming.

Conference on the Least Developed Countries, held in 2011; the United Nations Conference on Sustainable Development, to be held in 2012; and the review and appraisal of the Madrid International Plan of Action on Ageing, 2002, to be held in 2013.

38. The Fourth United Nations Conference on the Least Developed Countries was an important occasion to raise awareness of the needs of women and girls living in poverty. Held from 9 to 13 May 2011 in Istanbul, the Conference attracted many Heads of State and Government, as well as Members of Parliament, heads of United Nations entities, and senior representatives from non-governmental organizations and the private sector. The Under-Secretary-General and Executive Director of the United Nations Entity for Gender Equality and the Empowerment of Women (UN-Women) addressed the opening session of the Conference, and one of the six high-level interactive thematic debates focused on human and social development, gender equality and empowerment of women.

39. In addition, 5 of 45 special events focused specifically on gender equality issues, in connection to trade, sustainable development, economic empowerment, migrant care workers, and migration and remittances. Among the material available at the Conference was a set of key messages drafted by UN-Women, which provided a gender perspective on the various issues under discussion.

40. The Conference resulted in the Programme of Action for the Least Developed Countries for the Decade 2011-2020 (see A/CONF.219/3/Rev.1), which includes several references to gender equality issues. That outcome document, endorsed by the General Assembly in its resolution 65/280, outlines new measures and strategies for the sustainable development of the least developed countries.

41. Importantly, the second section of the outcome document, which reviews the implementation of the previous programme of action, reports on progress made in empowering women, and notes as a lesson learned the relevance of gender and other broad issues to poverty eradication. The third section, entitled "renewed and strengthened partnership for development", lists gender equality among both the objectives of the new programme of action and the principles to implement it. The fourth section sets out eight priority areas for action, five of which integrate references to gender equality issues. Under the "human and social development" priority area, a specific subsection is dedicated to gender equality and the empowerment of women.

42. In comparison, the 2001-2010 programme of action, endorsed by the General Assembly in its resolution 55/279, incorporated references to gender equality in all of its seven priority areas. It also included references to gender equality issues in subsections discussing trade, climate change and disaster mitigation. In the 2011-2020 programme of action, the priority areas on "trade", "commodities" and "multiple crises and other emerging challenges" make no mention of women. In that respect, the outcome document of the Fourth Conference fell somewhat short, and it could have included a stronger gender perspective.

43. The upcoming United Nations Conference on Sustainable Development and the review and appraisal of the Madrid International Plan of Action on Ageing, 2002, provide an opportunity for a fuller incorporation of a gender perspective. These two events are still in their preparatory phase: the United Nations Conference on Sustainable Development will be held in June 2012 in Rio de Janeiro, Brazil, and

the review and appraisal of the Madrid International Plan of Action on Ageing, 2002, will take place during the fifty-first session of the Commission for Social Development, in 2013.

44. The level of attention given to gender equality issues in the outcome document of a high-level event depends to a large extent on the inclusion of a gender perspective throughout the preparation of the event. The preparatory process of the Fourth United Nations Conference on the Least Developed Countries started in 2009 and included a large number of activities to assess the results of the previous programme of action and to devise new measures and strategies for the sustainable development of the least developed countries. However, a review of preparatory documents shows that the gender dimension was not always strongly reflected. In addition, none of the 16 pre-conference thematic events focused exclusively on gender equality issues, and the document summarizing the outcomes of 15 of these events (A/CONF.219/IPC/10) refers to gender equality issues in only two events.

45. United Nations entities play a key role in organizing and coordinating preparatory activities, and as such can use that opportunity to promote the inclusion of a gender perspective in high-level events. In particular, they have the opportunity to influence the process at an early stage, as the preparation for the second global review and appraisal of the Madrid International Plan of Action on Ageing, 2002, illustrates. In December 2010, the United Nations Population Fund, with the cooperation of the Department for Economic and Social Affairs of the Secretariat and the World Health Organization, convened an expert group meeting to elaborate a set of indicators that countries could use in their reporting of progress for the review and appraisal exercise. In this list, nearly all of the indicators that assess the quality of life of older persons call for data disaggregated by sex.[6] This inclusion is significant, as the data provided will influence the subsequent preparatory activities and reports.

46. The participation of civil society groups active in promoting women's rights can also be a decisive element in the inclusion of a gender perspective in preparatory processes and high-level events. The many activities that are typically undertaken at the national, regional and international level to gather inputs and raise awareness ahead of the event provide many avenues for these organizations to make their voices heard and influence the outcome document.

47. Specific efforts to harness the contribution of civil society yield the best results in their level of engagement. The United Nations Conference on Sustainable Development formally engages nine recognized major groups (see General Assembly resolution 64/236), one of which is women. This has helped to ensure the participation of women's organizations in the preparatory process. For instance, women's organizations were well-represented among major groups at the May 2010 and March 2011 meetings of the Preparatory Committee and delivered numerous interventions. The women's major group also provided a position paper on one of the two themes of the conferences, "a green economy in the context of sustainable development and poverty eradication". Although the preparation for the Fourth United Nations Conference on the Least Developed Countries was guided by three General Assembly resolutions (resolutions 65/171, 64/213 and 63/227) that called for the participation of civil society, women's groups were not specifically mentioned, thus possibly limiting their impact on the outcome document.

[6] See http://social.un.org/index/LinkClick.aspx?fileticket=rxM-regd7PM%3d&tabid=1261.

48. The establishment of UN-Women, with its mandate to lead and coordinate the United Nations system work on gender equality can serve as a bridge to ensuring the full incorporation of a gender perspective in high-level intergovernmental processes. UN-Women has been involved in the preparatory process of the United Nations Conference on Sustainable Development and has collaborated with the Steering Committee of the women's major group. In addition, it has planned a number of activities to keep gender equality issues at the forefront of discussions in the preparatory process and at the Conference.

VI. Contribution of the Commission on the Status of Women

49. In paragraph 3 of its resolution 65/191, the General Assembly acknowledged the catalytic role of the Commission on the Status of Women in promoting gender equality and the empowerment of women based on the full implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session and in promoting and monitoring gender mainstreaming within the United Nations system. While the Commission on the Status of Women was not included in the content analysis reported in the present report to avoid biasing the results, given the Commission's exclusive focus on gender equality issues, this body holds the primary responsibility for the follow-up to the Fourth World Conference on Women and has continued to play a major role in promoting the strategy of gender mainstreaming.

50. At its fifty-fourth session, the Commission commemorated the fifteenth anniversary of the Fourth World Conference on Women and contributed significantly to the work of the Economic and Social Council. The Commission transmitted summaries of its high-level round table and of three panel discussions to the Council as an input to the annual ministerial review on implementing the internationally agreed goals and commitments in regard to gender equality and empowerment of women. The report of the Secretary-General on the review of the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session and its contribution to shaping a gender perspective towards the realization of the Millennium Development Goals (E/2010/4-E/CN.6/2010/2), originally submitted to the Commission, also served as a basis for the high-level segment of the Economic and Social Council. The 2010 ministerial declaration that the Economic and Social Council adopted directly drew on the findings and recommendations of that report. In those respects, the Commission's work undoubtedly influenced the extent to which a gender perspective was incorporated in the work of other bodies and in the United Nations system as a whole, in response to Council resolution 2006/9.

51. UN-Women, which serves as the substantive secretariat to the Commission on the Status of Women, is expected to further strengthen the Commission's capacity to play a catalytic role in promoting gender mainstreaming. In particular, the strengthened country presence of UN-Women should lead to the enrichment of the reports of the Secretary-General to the Commission, as well as the General Assembly, by bringing in the perspectives from the operational work, and thus contributing to bridging the gap between the normative guidance elaborated by the Commission, and implementation work on the ground.

52. The Commission on the Status of Women thus remains a crucial actor whose work can help to increase attention to gender equality issues in high-level events. In the exercise of its role in promoting the strategy of gender mainstreaming, it held an interactive panel discussion on gender equality and sustainable development, during its fifty-fifth session in March 2011, as an input to the preparation of the United Nations Conference on Sustainable Development. It also adopted at that session its first-ever resolution on mainstreaming gender equality and promoting empowerment of women in climate change policies and strategies (see E/2011/27, resolution 55/1), which can serve as a basis for further work on the topic.

VII. Conclusions and recommendations

53. The intergovernmental work of the United Nations continues to provide multiple opportunities for mainstreaming a gender perspective into the work of the Organization and that of Member States. The analysis contained in the present report suggests that there has been some progress in incorporating a gender perspective in these intergovernmental processes. There has been particular progress in ensuring that reports of the Secretary-General to the General Assembly and to the Economic and Social Council reflect a gender perspective. With respect to resolutions, progress has been more limited. High-level events continue to offer good opportunities for incorporating a gender perspective in intergovernmental processes and for reflecting them in major outcome documents. In addition, the in-depth review of intergovernmental documents conducted as part of the analysis for the report suggests that in the majority of cases, the inclusion of a gender perspective, as defined by the mention of the keywords, reflects a genuine focus on gender equality issues.

54. Despite these positive steps, intergovernmental processes have not been optimally used to mainstream a gender perspective into all issues under the consideration of intergovernmental bodies and within their mandates. The share of resolutions of the General Assembly, the Economic and Social Council, and the functional commissions of the Economic and Social Council that include a gender perspective remains low, and even high-level events which entail longer advance planning and discussion, thus providing more opportunities to include a gender perspective, do not always give sufficient attention to gender equality issues. References to gender equality and the empowerment of women issues continue to be most strongly evidenced in the intergovernmental processes focusing on social and economic issues. Within the General Assembly, therefore, a gender perspective continues to be most likely to be found in the processes of the Second and Third Committees.

55. **In light of the progress and the constraints noted in the present report, and taking into account the critical role of intergovernmental bodies in promoting and monitoring progress in the achievement of global commitments on gender equality, the General Assembly may wish to:**

(a) **Reiterate its call to all intergovernmental bodies of the United Nations to fully mainstream a gender perspective into all issues under their consideration and within their mandates, as well as in all United Nations summits, conferences and special sessions and in their follow-up processes; and call on them to systematically ask for the inclusion of a gender perspective**

when requesting reports of the Secretary-General and other inputs to the intergovernmental process;

(b) Request the Secretary-General to ensure that his reports to intergovernmental bodies systematically include a gender perspective through gender analysis and the provision of sex- and age-disaggregated quantitative data, in particular through concrete conclusions and recommendations for further action on gender equality and the empowerment of women, and in this regard to convey the importance of reflecting a gender perspective to all contributors who provide inputs to his reports;

(c) Encourage Governments to improve the collection, analysis and dissemination of data disaggregated by sex, and age; enhance capacity-development in this regard; and develop relevant gender-sensitive indicators to support policymaking;

(d) Emphasize the important role and contribution of civil society, in particular non-governmental organizations and women's organizations, in the implementation of the Beijing Declaration and Platform for Action and the outcomes of the twenty-third special session;

(e) Call upon Governments and the United Nations system to encourage and support the participation of women's groups and non-governmental organizations specialized in gender equality issues in intergovernmental processes through increased outreach, funding and capacity-development.